

Safety & Justice Roundtable Final Report

Presented to
Springfield City Council
and
Greene County Commission
July 22, 2009

Safety & Justice Roundtable Final Report

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Safety & Justice Roundtable

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Robert Spence, Jean Twitty

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Gerry Pool
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Mark Skrade
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Safety & Justice Roundtable

Executive Summary of Final Report

The Safety & Justice Roundtable is a citizens' task force formed by the Greene County Commission and the Springfield City Council to study our community's criminal justice and law enforcement system. The Roundtable is co-chaired by Dr. Robert Spence and Mrs. Jean Twitty. Membership includes 18 City and County residents who represent a wide array of professional backgrounds and interests. The Roundtable was formed in December 2007 with the following charge:

The Safety & Justice Roundtable is charged with developing a comprehensive understanding of the community's criminal justice system through studying the interconnectivity of all departments and offices within that system, identifying and prioritizing needs within the system and recommending solutions to address those needs. The Roundtable will coordinate with the public information offices of the City of Springfield and Greene County in posting meeting schedules and agendas, fulfilling requests for documents and speakers, keeping minutes and preparing the final report to be presented to the Greene County Commission and mayors of Springfield and Greene County municipalities.

The Roundtable met regularly for 18 months, studying agencies within the law enforcement and criminal justice system and coordination between those agencies. While the group studied one agency at a time, the true focus of its work was a gaining a comprehensive understanding of how the system functions as a whole.

The members asked critical questions, spoke with agency directors, toured facilities, examined budgets and staffing, studied inter-agency communication, and compared the Greene County system to other communities. Throughout this process, the group sought to identify obstacles within the system and their causes, effects, and possible solutions. The Roundtable appreciates with the level of access provided by agency directors and their various departments during this process.

Funding and Collaboration

When public funding is short, taxpayers tend to believe government agencies should simply cut costs by "trimming the fat." However, the Roundtable has concluded there is little to no "fat" to trim among the agencies it studied. There are few, if any, areas where resources can be re-appropriated to provide more funding for another area. Cutting costs, in this situation, would mean cutting services, ultimately eroding our community's level of public safety and quality of life.

When the Roundtable commenced its study, it was clear that nearly all agencies within the system were functioning with budget constraints — some more than others. The recent economic downturn has exacerbated existing funding shortfalls. All agencies,

however, are accomplishing a great deal with the amount of funding available, and the Roundtable specifically commends several of them in this report.

Several of the Roundtable's recommendations will necessitate increased funding for personnel, equipment and facilities. However, the Roundtable believes many of its recommendations may be adequately addressed with increased communication and willingness to work across agency lines. Cooperation is key to confronting the bottlenecks within the system.

The Roundtable is keenly aware that funding for some of these recommendations will be difficult to obtain at the local level. The group strongly believes these changes are vital to sustaining and improving the law enforcement and criminal justice system.

Our public safety and criminal justice system is overburdened and underfunded. Current economic conditions are contributing to the erosion of services. While it is easy for the community to quantify services like fire protection or police patrol, it is harder to grasp how jail overcrowding and delays within the courts affect public safety.

Our community must decide which is more important: low taxes or adequate public safety. The Roundtable is not specifically proposing a tax; at the same time, the group acknowledges there are few other future funding options.

In addition to local funding and participation, several recommendations will require the Missouri General Assembly's support to implement. Two integral components of the criminal justice process — the 31st Judicial Circuit and the Public Defender's Office — are funded and operated by the State of Missouri, not Springfield or Greene County. Several other local agencies within the system depend upon significant state funding to operate. This community must appeal to our local legislators and their colleagues for increased awareness of and support for these vital entities and funding streams.

The Roundtable is pleased to report several issues which emerged during the course of its study have since been addressed or are undergoing review. Simply facilitating discussion has helped identify key issues, which, once recognized, may more easily be addressed. It is evident that our community's law enforcement and criminal justice system is composed of many inter-dependent agencies, which cannot function by themselves. The Roundtable encourages continued discussion and collaboration among these agencies.

Top Seven Priorities

The following report contains a detailed analysis of the Roundtable's conclusions and recommendations, for both specific entities and system-wide issues. Among these recommendations, the Roundtable has identified the following seven top public safety priorities for the City, the County, and ultimately, the community:

1. Solving Police-Fire Pension Fund Shortfall

While there are needs and priorities throughout the criminal justice system, the Safety & Justice Roundtable feels strongly that solving the Springfield Police and Fire Pension issue should be our community's first and highest priority. All other major advances within the system — many of which require additional funding — will be difficult to achieve before the pension issue has been resolved.

As of June 2009, the Police-Fire Pension Fund Citizens' Task Force is reviewing this issue and possible solutions. The Roundtable urges the community to become educated on the pension issue and to pay close attention to the Task Force's work and recommendations.

2. Reducing jail population

The Greene County Justice Center (Jail) is chronically overcrowded, creating a potentially dangerous situation for both inmates and staff. Jail overpopulation may be attributed to two main factors: too many people being booked into the jail, and the amount of time inmates must wait before their cases come to trial.

The Roundtable recommends a variety of options be explored to reduce the number of inmates booked and held in the jail, including implementing a Bond Schedule while retaining the current Book & Release program and expanding Pre-Trial Services programs for those who cannot afford to post bond.

The overwhelming majority of inmates in the jail are awaiting a trial, not serving sentences. Delays within the court system are due in large part to a shortage of judges, public defenders and courtroom space. The overuse of continuances and the lack of a fast track for felony guilty pleas also bog down the system. The Roundtable recommends these issues be addressed at both the local and state level.

3. Improving the Family and Juvenile Justice System

Though the Greene County Juvenile Justice Office manages to accomplish a great deal with limited resources, this important component of the criminal justice system needs greater support in terms of staffing and space. Children entering the juvenile justice system are often at a considerable socio-economic disadvantage. It is the opinion of the Roundtable that these kids, if left unserved or underserved, will become our community's future criminals, which will greatly increase the financial burden the community must bear to provide adequate public safety.

The Roundtable recommends more staffing, courtroom space and office space for Juvenile and Family Court functions. At the same time, the Roundtable acknowledges that the County Juvenile system cannot address all issues involving troubled youth. The group proposes a community-wide advocacy effort to raise awareness of and address juvenile issues.

4. Combining emergency response agency facilities

Emergency 911 and community emergency management operations are often taken for granted. Yet in our time of need, citizens assume someone will be there to answer the phone when they call for help. The Springfield-Greene County E-911 Center and the Springfield-Greene County Office of Emergency Management are providing these emergency response services in separate and largely outdated facilities.

The Roundtable supports a current plan for a Public Safety Collaborative Center, which will house these operations and allow them to work more closely together with the latest technology.

5. Enhancing data sharing and interagency communications

The Springfield Police Department is in dire need of a new records management system. The Roundtable feels this provides an opportunity to address a larger need for enhancing data sharing and greater communication between the two primary law enforcement agencies in our community: Springfield Police and the Greene County Sheriff's Office.

The Roundtable also believes both agencies should take full advantage of the statewide Missouri Data Exchange (MoDEX) system for information sharing.

6. Increasing staffing throughout system

Nearly every agency the Roundtable studied is in need of increased staffing, including those funded by the state. Personnel costs are typically the single largest expense for local government and Springfield and Greene County are no different. Funding within these entities, as well as at the state level, is currently very tight, and the Roundtable acknowledges that increasing personnel is difficult at this time.

However, the Roundtable recommends increased staffing for several offices, including the 31st Judicial Circuit, Greene County Jail, Dist. 31 Public Defender's Office, Greene County Juvenile Office, Springfield Police Department, Springfield Fire Department and Greene County Pre-Trial Services. Funding for increased staff will require cooperation and creative solutions within the state, the County, the City and the communities these entities serve.

7. Expanding facilities

Our community's criminal justice system has largely outgrown the facilities in which operations are housed. Additional courtroom and office space is critical for the 31st Judicial Circuit, the Juvenile Office and the Springfield Municipal Court. Emergency response operations are also in need of a modern, secure facility (as noted above). Finally, the Springfield Police and Fire departments are in dire need of a new, larger training facility.

Bricks and mortar are often difficult to fund, although the City of Springfield and Greene County have identified possible funding streams for the Public Safety Collaborative Center. The County is currently reviewing funding options for a courthouse expansion.

The Roundtable supports plans to build these structures and recommends the City and County continue to collaborate on solutions for capital improvement projects.

Report Findings by Topic

Police and Firefighter Pension Fund Shortfall

SUMMARY:

City Manager Greg Burris gave a PowerPoint presentation about the approximately \$200 million shortfall in the Police and Fire Pension Fund. The fund is at about a 33-percent funded level, while a 70-percent funded level is considered adequate. A new state law requires cities to make the full, actuary-recommended payment to their pension funds at least once in a five-year period, or the state can withhold up to 25 percent of sales taxes collected on behalf of that municipality. Springfield made the full contribution in 2008 and the City Manager is recommending making the full payment again in 2009 because the shortfall is so severe. Many factors led to the shortfall, including market conditions, changing actuarial assumptions, benefit increases in lieu of pay raises and the City not fully contributing the recommended annual payments. The pension problem has created a personnel issue, because many police officers and firefighters are now retiring as soon as they are eligible. At the same time, the issue has made it difficult to recruit replacements.

The Springfield Police Department is currently understaffed by about 34 sworn officers, out of a budgeted total of 326, or about ten percent of its workforce. The City is in a hiring freeze at this time, though City Council has recently authorized the hiring of 10 new officers.

A proposed 1-cent sales tax to fund the pension plan was put before voters on Feb. 3, 2009, and failed by a 48-52 margin. Following the vote, the City Council convened a 15-member Police-Fire Pension Fund Citizen's Task Force to study the issue, with recommendations due in summer 2009.

CONCLUSIONS:

The Roundtable believes the Police-Fire pension fund shortfall is a significant roadblock facing not just the City or its Police and Fire departments, but the entire local law enforcement and the criminal justice system, for a variety of reasons.

The group believes any solution to the bottlenecks in local law enforcement involves the hiring of more Springfield Police Officers. Yet the unresolved pension issue makes it difficult for the City to effectively recruit and train new officers to patrol the streets, make arrests and book inmates.

The Springfield Police Department is also in need of new capital equipment such as vehicles, in-vehicle computers and a completely new records management system. The Springfield Fire Department has been forced to implement rotating closures of fire stations due to staffing shortages. The pension issue hampers the availability of funding for these needs as well.

RECOMMENDATIONS:

- **The pension fund shortfall should be resolved as quickly and decisively as possible. This is a quality of life issue for Springfield and Greene County, and resolving it should be our community's highest priority.**

The Roundtable believes an external funding source will be necessary to effectively resolve the pension fund shortfall, which is too large to be addressed with budget cuts that will continue to hurt departments already under duress. The pension shortfall is more almost three times the size of the City's annual General Fund operating budget.

Until the pension issues is resolved, the Roundtable believes it will be difficult to make any progress on possible new funding mechanisms for other law enforcement and criminal justice needs.

31st Circuit Judicial Courts

SUMMARY:

Judge Don Burrell, formerly of 31st Circuit, Div. 1 and Greene County Presiding Judge, now of Missouri Southern Court of Appeals, outlined challenges facing Greene County's court system. Issues Burrell addressed included: Judges' caseload, courtroom space, ongoing implementation of Justice Information System (which has since been completed), judge notification of jail bookings, court security and the need for a courts administrator (a position which has since been filled.) When asked to prioritize needs within the court, Burrell listed 1- Courts Administrator, 2- additional judges, and 3- additional courtrooms.

The October 2007 Judicial Weighted Workload Study, conducted by the National Center for State Courts, in conjunction with the Clerk of the Missouri Supreme Court, determined the Greene County 31st Circuit is short seven judges for the amount of court cases it handles. Lack of judges slows processing of cases (95 percent of which will eventually conclude with a guilty plea,) and impacts the jail inmate population, as inmates await trial. For the last few years, the Greene County Commission has listed additional judges among its top legislative priorities for the Missouri General Assembly.

In response to the study, the Missouri Supreme Court approved a visiting judge position for Greene County through its Judicial Partnership Program. In March, 2009, Judge Dan Conklin, 31st Circuit, Div. 3 and Greene County Presiding Judge, established the Div. 25 court to accommodate a rotating roster of Missouri judges who hear associate civil cases. Missouri Governor Jay Nixon has also approved an additional Family Court Commissioner for Greene County, a position expected to be filled in coming months. The addition of these two positions now leaves Greene County five judges short of the 2007 recommendation.

During a walking tour of the Juvenile Courts Facility, Judge Mark Powell guided Roundtable members through several courtrooms and pointed out the Circuit Clerk's Office, Prosecutor's Office and Child Support Enforcement Office. Courtroom space is tight throughout the facility. The Family Court courtroom, in particular, is a small room, and emotions run especially high during these cases. Most courtrooms become crowded and noisy when court is in session, with motions for several cases being heard on the same day. In Associate Circuit Court, Powell sees 90 to 125 cases a day, currently has 4,000 active cases on his docket. Powell said a workload study has shown the Circuit Clerk's office is short 23 employees. Additional employees would have to be granted by the state.

Greene County would like to construct a Family Court Facility, which would connect the existing Judicial Courts Facility with the existing Juvenile Office, adding courtrooms and office space for juvenile and family court functions. Estimated cost is \$9.25 million.

Judge Conklin has proposed doing away with Book & Release, a system used in the Jail to keep the inmate population down. Book & Release, instituted by a recommendation in the Kalmanoff Report, allows non-violent offenders to be booked, processed and then released, rather than held in jail. Conklin would like to replace Book & Release with a bond schedule and 24-hour Booking Judges, who would issue warrants within hours of a booking, similar to the system used in Knox County, Tenn. Courts Administrator Jerry Moyer compiled a report on Knox County's system. Judge Conklin later announced he had rearranged 31st Circuit judges' dockets to expedite criminal court cases, nicknamed the "Rocket Docket." This places more felony trials in Associate Court divisions, which previously focused on civil cases.

CONCLUSIONS:

The 31st Circuit Court is the central component of this community's criminal justice system. The Roundtable acknowledges that Greene County's timely administration of justice is impeded by judges' caseload, limited courtroom space and other external issues, which, combined, lead to delays.

Bottlenecks within the courts affect every other facet of the system and, likewise, the courts are directly impacted when complications arise within the jail, Public Defender's Office, Prosecutor's Office, etc.

The Roundtable's concerns regarding the 31st Circuit Judicial Courts are rooted in the large volume of cases filed in this circuit and the length of time it takes for cases to be resolved.

Justice delayed is justice denied. When trials are delayed, chances for successful prosecution are diminished. Witnesses die or disappear and memories fade while victims wait and wait for resolution.

RECOMMENDATIONS:

- **Additional judges and court commissioners are needed within the 31st Circuit.**

The Weighted Workload Study clearly illustrated the problem by recommending seven additional judges, which would represent a 50-percent increase in the number of judges currently assigned to the 31st Circuit. Judges are employees of the State of Missouri, and additional judges would require approval by the Missouri General Assembly. Though two additional positions have been authorized since the study, this must continue to be a top legislative priority for Springfield and Greene County.

- **Additional courtroom space is needed to house additional judges.**

The Roundtable acknowledged the need for the proposed Family Court Facility, and urged the Greene County Commission to make the project a capital priority.

Two new courtrooms are currently under construction within the Judicial Courts Facility, expected to be complete by July, 2009. One courtroom is designated for the newly-created Division 25. The second courtroom will house the new Family Court Commissioner.

- **Explore use of Grand Juries for cases, when useful or appropriate.**

Grand Juries could be particularly helpful in expediting arraignments, eliminating the need for judges to preside over preliminary hearings.

- **Identify likely guilty pleas to be placed at the top of the court docket and expedited.**

Some Greene County Jail inmates are ready to plea guilty to charges against them and begin serving their sentences, but must wait several months for their case to come to trial. If these cases could be moved through the courts more quickly, these inmates could be sentenced and moved out of County jail into the Department of Corrections.

- **Document, review and consider limiting of the number and type of continuances allowed before cases can move to trial.**

Many inmates in the Greene County Jail intentionally delay their trial by requesting continuances until key witnesses disappear, or details of testimony are forgotten. These continuances concurrently contribute to jail overpopulation and case backlogs in the courts. This project could possibly be assigned to a graduate student or college class.

- **Explore additional use of video conferencing technology for preliminary hearings and other court procedures.**

This may reduce the need for corrections staff to escort inmates to court and, on occasion, reduce the need for additional courtroom space.

- **Consider instituting night court or weekend court, to utilize existing courtroom facilities during hours these courtrooms currently stand empty.**

Concerns over limited courtroom space were voiced multiple times to the Roundtable. Using existing space could help address these concerns without investing in capital improvements.

Greene County Jail and Jail Booking

SUMMARY:

The Roundtable discussed the Greene County Jail with Sheriff Jack Merritt, and later, Sheriff Jim Arnott, numerous times. The County is responsible for running the jail, which has a budget of about \$8 million. About \$3 million comes from the shared Law Enforcement Sales Tax with the City.

The jail opened in 2001 with a capacity of 480, but frequently operates with close to 600 inmates. The vast majority of inmates are awaiting trial, not serving sentences. Some inmates are federal prisoners, held through a contract with the U.S. Marshall Service. The federal inmates help offset the cost of operating the jail, as the federal government's daily reimbursement rate (\$53) is significantly higher than the state's (\$22.50). The jail is staffed for about 400 to 450 inmates. Sheriff Merritt said the jail doesn't always have the ability to staff two guards in each pod, which typically houses more than 100 inmates. Staffing shortages create a potentially dangerous situation for both corrections offices and inmates.

Jail booking procedures were frequently discussed. The Sheriff's Office reports it takes an average of 20 minutes for an officer to book an offender and be to return to patrol duty. Springfield Police say it takes longer, sometimes more than an hour — due, in part, to the fact that Springfield Police do not have jail booking software in their vehicles.

A Book & Release program, addressed in detail above, is currently used to reduce inmate population, although the program has not been without controversy. Regardless of the program, law enforcement officers have the option of requesting a 24-hour hold on any offender booked at the jail.

Sheriff Jim Arnott, Prosecutor Darrell Moore and Greene County Courts Administrator Jerry Moyer have studied jail operations, bond schedules and 24-hour judge programs utilized by Knox County, Tenn., and Jackson County, Mo., and determined that portions of these programs could be implemented in Greene County. Both counties are operating their jails under a federal court-ordered population cap. If the jail exceeds the maximum number of inmates allowed, the county is fined \$5,000 per day, per inmate. Greene County could find itself in the same situation, according to Arnott.

CONCLUSIONS:

The Greene County Jail is a central element in the community's law enforcement and criminal justice system. The jail struggles with chronic overcrowding and insufficient staffing. While staffing is a funding issue, overpopulation is due to a variety of external factors affecting the number of inmates booked in the jail and the amount of time it takes for inmates cases to be processed in the courts.

RECOMMENDATIONS:

- **Additional corrections officers are needed within the jail.**

The Greene County Sheriff has requested approximately 20 additional corrections officers for several years, but the County does not have the funds to provide more than one or two at a time. The Roundtable recommends additional corrections officers, but acknowledges that these new positions would require a new or additional source of revenue.

- **The jail is chronically overcrowded. While Book & Release and Pre-Trial Services help alleviate this problem, additional measures must be implemented to keep jail population at a manageable level.**

The Roundtable recommends implementing a combination of the proposed bond schedule system and retention of the Pre-Trial Services and the Book & Release system to manage the number of inmates housed in the jail. Both Book & Release and Pre-Trial Services were implemented at the behest of the 2003 Kalmanoff Report, to address jail overcrowding. Greene County Judge Dan Conklin has proposed replacing these programs with a Bond Schedule and 24-hour judges. The Roundtable support implementation of Conklin's proposal while retaining Pre-Trial Services as well as Book & Release for inmates who can't afford to post bond.

The Roundtable considered a proposed minimum-security jail, a recommendation made to Greene County in the 2003 Kalmanoff Report. However, the group concluded that more research is needed on this proposal, particularly the estimated cost, before a recommendation could be made. Roundtable members agreed that such a construction project should only be considered after the proposed Family Court Facility is completed.

- **Greene County and agencies booking inmates at the jail must work together to explore and address causes for delays in the booking process.**

Law enforcement agencies follow various policies for filing criminal reports and related paperwork needed by the prosecutor to file charges. After a 24-hour hold in the jail, state law requires inmates to be released unless they have been charged. If a criminal report has not been completed immediately following an arrest, charges are often filed after the inmate has been released, and a warrant for arrest must be served, further adding to the Sheriff's Office workload and ultimately delaying the justice process.

The Sheriff's Office and other municipal police departments have the ability to pre-book inmates using laptops in their vehicle, saving time the officers spend inside the jail. Springfield Police vehicle laptops do not have the same software, and therefore, Springfield Police officers must spend more time inside the jail during booking. This software issue is related to a larger Records Management System issue addressed separately in this report.

Missouri State Public Defender's Office, District 31

SUMMARY:

Public Defender Rod Hackathorn presented an overview of his office, which is staffed and funded by the State of Missouri, not the City or County. Changes in funding must come from the Missouri General Assembly. The office provides defense attorneys for indigent defendants who cannot afford their own representation. The office handles cases from Greene, Christian and Taney counties, as well as some cases from Stone, Dallas, Dade, Webster and Polk counties. The office has 19 attorneys, who handle about 150 open cases at any one time. Hackathorn said this caseload is overwhelming. The office handled 5,339 cases in the 2007-08 fiscal year. Hackathorn said there has not been an increase in the Public Defender budget in at least seven years, despite rapid population growth in the area and corresponding caseload growth. In late 2008, the office announced it would begin limiting the number of cases it could accept. A group of local private attorneys are working through the Springfield Metropolitan Bar Association to provide pro bono help for lower-level cases. While this helps expedite traffic fines and other minor cases, criminal cases remain backlogged.

CONCLUSIONS:

The Roundtable found the Public Defender's office to be significantly understaffed and overworked. The caseload per Public Defender presents at least two major problems. First, the lack of public defenders is a significant contributor to Greene County's overall court case backlog and related jail overcrowding. Second, each attorney has less time to prepare for cases and meet with clients, which often leads to a decreased level of service and opens the door for further litigation by those claiming they were denied qualified representation.

RECOMMENDATIONS:

• The Roundtable believes the State of Missouri should increase funding for staff in the District 31 Public Defender's Office. Roundtable believes this issue should be a top legislative priority for both the City and the County.

Additionally, when new attorneys are hired, they will need space in which to work. More space to house increased staff must also be identified and funded.

• The Roundtable recognizes that the Springfield Metropolitan Bar Association is coordinating with the Public Defender's Office to reduce the caseload backlog.

The Roundtable commends area attorneys who are volunteering to represent indigent defendants in court.

Greene County Juvenile Office

SUMMARY:

Perry Epperly, Chief Juvenile Officer and Juvenile Office Director, provided the Roundtable an overview of the Greene County Juvenile Office and a tour of the Juvenile Justice Center. At any one time, more than 800 children in Greene County are under the supervision of the courts, through issues related to either behavior of the caretaker or behavior of the child.

The Juvenile Justice Center was built in 1991. Increased rates of child abuse, neglect and juvenile delinquency have contributed to the Juvenile Office largely outgrowing the facility, especially courtroom space, administrative space and client interview space. Privacy is often compromised. The Juvenile Facility has one courtroom in which to process Juvenile Court cases. The courtroom is very small, designed before Dominic James legislation, which allows members of the public, as well as extended family, to attend Juvenile court proceedings. Emotions run high within this small, cramped room, which was not large enough even to contain the Safety & Justice Roundtable members. Though the building is cramped, there is room to spare within secure Juvenile Detention, due to implementation of Juvenile Detention Alternatives Initiative. Out of 24 beds within detention, usually fewer than 12 are occupied. Minor offenders are usually not sentenced to detention.

Some male juvenile offenders cannot, for various reasons, return home after an offence, and instead move into the Challenge Treatment Center at the former Mary E. Wilson Home. This facility is also home to the Evening Reporting Center, a supervised highly structured program for minor offenders.

CONCLUSIONS:

The Roundtable acknowledges the Juvenile Justice System is an important element of the public safety system in Springfield and Greene County. In addition, Greene County's consistently elevated rates of child abuse and neglect have been identified as a Red Flag in the Community Foundations of the Ozarks' Community Report Card since 2004. Child abuse and neglect is a shameful problem in our community.

Despite staffing and facility constraints, the Juvenile Office is to be commended for its innovative work with juvenile offenders, particularly with the successful implementation of the Juvenile Detention Alternatives Initiative. The result of Juvenile's work is evident in that secured Juvenile Detention regularly operates at half capacity.

RECOMMENDATIONS:

- **The Juvenile Office's most pressing needs are additional staffing and space.** Courtroom space is especially concerning. The Roundtable believes construction of the proposed Greene County Family Courts Facility should remain a top capital priority for

the County. The Roundtable also believes adding more staff should be a top priority for Greene County.

- **The group proposes a community-wide advocacy effort to raise awareness of and address juvenile issues, including delinquency, abuse, neglect, drug use, high school drop-outs, mental health issues, etc.**

The Roundtable heard repeatedly from people working at all levels of the local justice system that crime begins at a young age, often as a result of unstable home lives and socio-economic disadvantages. Many current jail inmates were, as children, clients of the Juvenile Justice system. The Roundtable believes addressing this cycle should be a priority for the community as a whole.

Since the failure of the Community Safety Initiative in 2005, the community has rallied around the cause of early childhood issues with programs such as Isabel's House, the Mayor's Commission on Children, and the Red Wagon Kids program. Similar efforts should now be made to reach adolescents and teens so that they do not fall into a cycle of crime and punishment. The Roundtable recommends the formation of a citizen/volunteer commission that can focus on this issue. Such an effort should present a unified message to youth, parents, teachers, mentors and the community at large about the dangers of juvenile crime and the consequences of bad choices. The City and County should consider some form of ongoing support and/or funding for such efforts.

- **The Roundtable recognizes that the Juvenile Office accomplishes a great deal of work with very limited resources. The Roundtable wishes to publicly commend Chief Juvenile Officer and Juvenile Office Director Perry Epperly and his staff for their dedication to serving the youth of our community.**

Greene County Sheriff's Office & Springfield Police Department
Records Management Systems

SUMMARY:

Currently, the Sheriff's Office and Police Department utilize two different and separate records management systems — software used to maintain internal records such as criminal reports, case follow-up, etc. The Sheriff's system is relatively new and has been custom-built for the County's needs, including interoperability with jail records, with the ultimate goal of a fully electronic, paperless system that sends reports to the prosecutor's office. Meanwhile, the Springfield Police Department's records management system is so old, it is no longer supported by the vendor. The Police Department says the system is on the verge of failure, which would reduce the City to using pen and paper to file reports.

The City and County conducted a demonstration to show whether the Sheriff's system could be adopted by the Police Department as well. The conclusion of this demonstration was that while the County system works well for its needs, it is lacking some features necessary for City police work and it would be cost- and time-prohibitive for the City to customize the system to meet its needs, such as mechanisms for reporting or diagramming vehicle accidents, false alarms or case management for investigations. There was also concern that some information may be lost because the County's system doesn't capture ticket and warrant numbers. The narrative portion of the reports do not have spell check, so officers would have to default to Microsoft Word for that, which could cost up to \$130,000 for license fees.

There was some discussion as to whether the statewide Missouri Data Exchange (MoDEX) system could meet the need for data sharing between the two agencies. Sheriff Jim Arnott expressed doubts about whether using MoDEX alone would suffice. He said the system is only as good as the information it receives, and there are no real-time updates. There are no state requirements as to what kind of information must be submitted to MoDEX, or how often. The Springfield Police Department is currently utilizing MoDEX, and updating information to this system on a daily basis.

CONCLUSIONS:

The working relationship between the Sheriff's Office and Police Department is crucial to a properly functioning public safety and criminal justice system in Springfield and Greene County. The closer these two entities can work together, the better.

Because the Police System is aging and in dire need of replacement, the Roundtable believes the any future upgrades create an opportunity to integrate jail booking software into Springfield Police vehicle computers.

The Roundtable heard unanimous praise from local law enforcement officials for the 800 MHz trunked radio system, which has greatly aided in interagency communications and, by all accounts, has streamlined working relationships. The Roundtable finds it logical

that interoperable records management systems would also aid in streamlining communication, investigations, etc., as well as booking.

The main solution mentioned by the Sheriff's Office and Police Department for sharing data was MoDEX. The Roundtable believes MoDEX is a useful tool, however the group acknowledges the program is not a replacement for a local records management system.

Despite the results of the Records Management System demonstration, the Roundtable urges the Sheriff's Department, the Police Department and their respective IT staff to cooperate as much as possible to implement systems that increase communication and data sharing.

RECOMMENDATIONS:

- **The Springfield Police Department is in dire need of a new records management system, and must be replaced.**

The Springfield Police Department's current records management system is in danger of failing. A system failure would force the Springfield Police Department back to using paper reports, further backing up the entire system.

- **The Sheriff's Office and Police Department must demonstrate an ability and willingness to share software and data without reservation.**

The Roundtable acknowledges this will require capital investment, but overall, it will increase efficiency and public safety. Increased cooperation would enhance the level of trust between the two agencies.

- **The Police Department and Sheriff's Office should coordinate and commit to a set schedule for what kind of information needs to be shared via MoDEX, and how often.**

Point people should be assigned to and be responsible for inputting the information. While the MoDEX system is not perfect, the Roundtable feels it is not fully utilized by the two local agencies at this point.

Springfield Police Department

SUMMARY:

Springfield Police Chief Lynn Rowe spoke to the Roundtable about the Springfield Police Department's functions, staffing and funding. The department serves some 160,000 permanent residents in a 75-square mile area; and an estimated 350,000 people each weekday as the City's workday population increases. The annual budget for fiscal year 2008-2009 is just over \$34 million. Personnel costs account for 89 percent of the budget.

With the growth in population and crime over the last 10 years, the Department estimates it should have a minimum of 352 sworn officers on staff. The Springfield Police Department has had 325 sworn officers until recent budget cuts. The Springfield Police Department is currently down about 36 positions because of a hiring freeze and budget shortages. (However, the City Council recently approved backfilling 10 vacant sworn officer positions. Those 10 recruits are currently in academy training and are expected to be sworn in by early 2010.) Services cut include the DARE Program, Community Policing Services at Grant Beach, Commercial Street and the Battlefield Mall substations, a full-time public information officer and crime prevention officer positions. Ongoing costs for these positions through 2014, if filled, would be approximately \$6 million.

Recruitment and retention of personnel has been significantly hindered by the underfunded Police-Fire pension system, which is addressed separately in this report.

Capital improvements have also been underfunded recently. Springfield Police Department currently needs about \$3 million to bring its vehicle fleet up to date (about 60 vehicles, plus equipment) and to purchase needed equipment such as bicycles, computer forensic equipment, safety gear and radios. The department's records management system is no longer supported by its vendor and badly needs replaced, at an estimated cost of \$1 million. Issues with the records management system are addressed separately in this report.

CONCLUSIONS:

The Roundtable agrees that staffing is an issue for the Springfield Police Department. With the growth in the local population in recent years, the number of sworn officers on the streets should be increasing, not decreasing. The group acknowledges that at this time budget shortfalls and the unresolved Police-Fire pension issue overshadows other issues within the Department.

RECOMMENDATIONS:

- **The Roundtable believes work needs to be done in terms of recruiting.**

The Roundtable would like the Springfield Police Department to be fully staffed. While the pension issue currently impedes hiring and retention, the Roundtable believes Springfield Police Department needs to be prepared to aggressively pursue new recruits once the pension issue is resolved and sales taxes return to normal levels. An outside consultant may be of assistance in terms of marketing and outreach.

- **A new Police training facility should be a priority for the City.**

Some of the current training facilities are inadequate or unusable, including classroom space at the same abysmal site as the current fire training facility. A new police training facility, whether at the site of the decommissioned Springfield-Branson National Airport terminal or elsewhere, would be beneficial for recruitment and retention.

- **Resolving the Police-Fire Pension Fund shortfall should be a priority for the City.**

This recommendation is addressed separately in this report.

- **The Police Department is in dire need of a new records management system.**

This recommendation is addressed separately in this report.

Springfield Fire Department

SUMMARY:

Springfield Fire Chief Barry Rowell presented an overview of the Springfield Fire Department. The department has three divisions: Technical Services, Operations and Training. Operations is the backbone of the department, providing the front line EMS and fire service. Two hundred Operations personnel serve in three 24-hour shifts at 12 stations. When the Roundtable met with Chief Rowell, the Department had 10 unfilled positions due to a hiring freeze, and anticipated being down more than 20 positions by June 30, 2009. (However, Springfield City Council has recently approved backfilling five of those vacant positions.) The Technical division includes a law enforcement element in which six fire marshals perform public education, code enforcement and plan reviews and investigations. Specialty teams include the bomb squad, hazardous materials and technical rescue.

A tour of the Fire Department's training facility on the grounds of a former wastewater treatment plant in northwest Springfield showed a flood-damaged space, and reflects the department's biggest unfunded need at the moment, other than staffing. The site's history as a wastewater treatment facility means it is located near a creek, in a floodplain. Recent flooding has all but destroyed a small classroom building used by both fire fighters and police officers for instruction. A paved area that was built over a former water retention tank is in danger of collapsing, preventing the Fire Department from parking any kind of large rescue vehicle next to a tower it had been using for live training exercises.

The Insurance Services Offices (ISO), a risk-information data collection agency, began a scheduled review of the Springfield Fire Department in May 2009. Facilities are included in the ISO's evaluations. Springfield currently holds a very favorable ISO Class 2 rating. A downgraded rating could result in higher real estate insurance rates within the City of Springfield.

CONCLUSIONS:

The Roundtable was taken aback by the state of the training facility, which has become unsafe and largely unusable in recent years due to flooding at the site. Proper training is crucial to public safety, and plays a role in recruitment and the ongoing safety of Fire Department personnel.

RECOMMENDATIONS:

- **The Roundtable believes a new Fire training facility should be a priority for the City of Springfield.**

The City has set aside about \$2.8 million through a bond issue for construction of the proposed new training center at the recently decommissioned Springfield-Branson National Airport terminal. The training center is estimated to cost between \$7 and \$8

million. The combined police and fire training center also leads the list of projects for which the City has requested federal stimulus funds.

- **Resolving the Police-Fire Pension Fund shortfall should be a priority for the City.**

This recommendation is addressed separately in this report.

Springfield-Greene County Office of Emergency Management

SUMMARY:

Director of Emergency Management Ryan Nicholls discussed the purpose, operations and budget of the Office of Emergency Management. Police, fire, public works and other agencies individually respond to situations every day. However, when large-scale events or emergency circumstances necessitate combined response efforts, Emergency Management functions as the central coordinating agency, prioritizing responses across multiple entities. During such responses, Emergency Management operates within the Emergency Operations Center, located in the lower level of the Office of Emergency Management.

The Roundtable toured the currently the Emergency Operations Center, located in the basement of 100-year-old former candy factory building. The three-story brick building is cramped, prone to flooding, and ill-equipped to house a modern emergency response operation. Emergency Management Director Ryan Nicholls told the Roundtable his department is in desperate need of a new secure facility with more room for operations and technology.

Local response efforts during the massive 2007 ice storm were based out of the Emergency Operations Center for two weeks. Emergency Management works very closely with law enforcement during times of crisis; these units are the primary source for gathering information, which enables Emergency Management to assess situations in real-time. Emergency Management has seven employees, one of whom is part-time. Revenue amounts to about a 50-50 split between the County and the City.

CONCLUSIONS:

The Office of Emergency Management is small, yet essential department. The joint County-City entity works with local and regional first-responder agencies to coordinate operations and communications during large-scale emergencies. These can include severe weather, power outages, fires, public health emergencies and more.

Having toured the building, the Roundtable agrees that Emergency Management's current facilities are inadequate for housing the kind of sophisticated modern response effort often required by Ozarks weather conditions — not to mention other potential disasters.

Congressman Roy Blunt has secured a \$1 million federal grant for a new Emergency Management Facility. Greene County is in the process of finalizing plans to build a new Emergency Operations Center on the Greene County campus near the southwest corner of Campbell Avenue and Nichols Street. The County has authorized issuance of bonds for the estimated \$19 million project. Construction is expected to begin in 2011.

RECOMMENDATIONS:

- **The Roundtable believes constructing a new Emergency Operations Center should be a priority for the City and County.**

Combining this facility with a 911 call center or other public safety functions, as part of the Public Safety Collaborative Center, would be a wise use of taxpayer money, as these groups often work together during emergencies.

Springfield-Greene County Emergency 911

SUMMARY:

E-911 Director Becky Jungmann presented an overview of the E-911 system to the Roundtable. She described the system as the “first link in the chain of public safety.” The system depends on human operators and obviously cannot rely on recordings. The average call volume is about 600 calls per day. Most of the department’s costs are for personnel and the rest is computer maintenance.

E-911 is now mainly funded by an 1/8-cent 911 Sales Tax approved by voters in April 2007, which has made possible the first increase in staffing since 1994. On the horizon is “next generation 911,” which will make use of Internet connectivity and more advanced technology — though the standards for such systems have not yet been finalized and is likely 10 years off, Jungmann said. Greene County Administrator Tim Smith said about half a million dollars from the 911 Sales Tax is being set aside each year for a future 911 center, tentatively planned to be located in a future Public Safety Collaborative Center.

CONCLUSIONS:

The Emergency 911 system is the first link in the chain of public safety. E-911 now has a stable source of funding after the passage of the 1/8-cent 911 Sales Tax. Now that a new source of funding has allowed E-911 to increase staffing to necessary levels, more space is required. A secure location is also desirable. It makes sense to the Roundtable to locate a new 911 call center under the same roof as the Emergency Operations Center, as these agencies often work hand-in-hand. E-911 does not have any immediate needs as far as personnel.

RECOMMENDATIONS:

- **The Roundtable endorses the idea of locating a future 911 call center with other law enforcement and public safety entities.**

A proposal to locate the call center in the Public Safety Collaborative Center is addressed separately in this report.

Greene County Pre-Trial Services

SUMMARY:

Greene County Director of Pre-Trial Services Bobby Linton presented an overview of Pre-Trial Services, which aims to relieve jail crowding by releasing low-risk inmates awaiting trial to the supervision of Linton's office, usually by means of an electronic monitor.

Pre-Trial services assesses inmates' backgrounds, risk factors and mitigating factors in order to give judges unbiased reports about each inmate. The judge uses this report in determining who is eligible for pre-trial release. Linton said judges consider two important factors included in his office's reports: whether the person shows up in court, and whether they are a danger to the community. Pre-Trial Services also provides supervision of those released in order to assure community safety and appearances in court.

Pre-Trial Services has two officers who, at any one time, supervise about 170 program participants. Issues the office struggles with include the fact that the Missouri criminal justice system wasn't designed with Pre-Trial Services in mind, and that the Public Defender's Office, which is assigned to represent nearly all participants in Pre-Trial Services, is overloaded with cases. Pre-Trial Services is also short-staffed — a staff of two reviewed the files of some 22,000 people booked into the Greene County jail in 2007.

CONCLUSIONS:

The Roundtable believes the issue of jail overcrowding cannot be truly addressed until time inmates spend awaiting trial is significantly reduced. Until then, only small solutions are available to chip away at the jail problem.

One solution involves expanding Pre-Trial Services, which would expedite the review of inmates eligible for pre-trial release.

RECOMMENDATIONS:

- **The Roundtable commends the work of Greene County Pre-Trial Services and the associated cost savings for the County, and urges the County to provide additional staffing needed to expand this program.**

Additional staff for this office will help reduce the number of people awaiting trial in jail.

Springfield Municipal Court and Prosecutor

SUMMARY:

Chief Judge Todd Thornhill and City Prosecutor Johnnie Burgess presented information about the Springfield Municipal Court and Prosecutor's Office, and the Roundtable toured the facility, which is currently located in a former cafeteria building away from other court buildings. The Springfield Municipal Court has a heavy caseload — the Court has averaged more than 52,000 cases per year during the last six years. The Court deals with all traffic and red-light violations, as well as cases involving drugs, stealing, dogs, trespassing and assault. The misdemeanor drug cases are a fairly new addition to the court's docket, as the Greene County Prosecutor's Office began sending these cases to the Municipal Court in order to reduce its own caseload.

The City Prosecutor's Office filed some 44,000 criminal offenses in 2008 involving about 31,000 defendants. Recently, the Greene County Prosecutor's Office outlined 27 types of misdemeanors that it would no longer prosecute, and instead sends those cases to the Municipal Court system. Burgess said the court is being handed more cases, but doesn't always have the resources for them. He stressed that the Municipal Court system is part of the overall County system, because all those who live in the City are also residents of the County.

Thornhill and Burgess agreed that the Court's biggest need at the moment is a new building. Burgess told the Roundtable his office has "just enough" attorneys to cover day-to-day assignments, but the office becomes stretched if a special assignment arises, or if an attorney takes vacation or is out sick. Judge Thornhill said the remainder of the municipal court system is sufficiently staffed at this time.

CONCLUSION:

The Roundtable believes the facilities at 625 N. Benton Ave. are too small for the Court's current workload. On days when Court is in session, a line leading out the door and around the building is common. The building has very little space for waiting areas besides the courtroom itself. There are also no private meeting areas, and attorneys meet with clients in the hallways.

RECOMMENDATIONS:

- **The Roundtable believes a new Municipal Court space should be a priority for the City of Springfield.**

Opportunities for partnership may emerge as the plans for the Greene County Family Court Facility develop.

Greene County Prosecutor's Office

SUMMARY:

Greene County Prosecutor Darrell Moore gave an overview of the office and its duties, which includes criminal prosecution of felonies and misdemeanors as well as appeals. These categories include everything from murder and rape to mandated reporter violations, conservation violations, child support cases, bond hearings, bad checks, untaxed cigarettes and much more.

The office's current budget is \$4.387 million and includes 76 employees. There are 29 full-time assistant prosecuting attorneys, 37 clerical and support staff, seven investigators and one paralegal. Moore said it takes more than two years to fully train an attorney because of the complexities of today's legal system. The system also moves faster today and the office usually has about five employees in court during the week. The workload is very demanding. A number of alternative programs have helped alleviate some of the workload, such as a bad check diversion system and Mothers Choosing Change for moms with chemical dependency issues. Discussion included budget issues and the effect of drug and alcohol abuse on cases referred to the prosecutor.

CONCLUSIONS:

The Roundtable appreciates the work of the Greene County Prosecutor's Office, and acknowledges that this office's efficient operation is a central factor in the timely adjudication of cases.

Moore assured the Roundtable that, while he would like to have more prosecutors, overall, his office is sufficiently staffed to keep up with the current workload. In comparison to staffing and space issues faced by other departments and offices studied, the Roundtable concluded that the Prosecutor's Office is relatively well provided for.

RECOMMENDATIONS:

- **The Roundtable recommends maintaining the current level of staffing and funding within the Greene County Prosecutor's Office.**

However, if cases begin moving through the courts system at an accelerated rate, the Roundtable acknowledges additional staffing may be needed in the Prosecutor's Office to prevent bottlenecks.

System-wide Recommendations

- **The City and County should further explore the possibility of consolidating functions of the Police Department and Sheriff's Office, and perhaps even the agencies themselves.**

The Roundtable acknowledges that a full-scale consolidation of the two departments would require significant study, political concessions, changes to charter documents and perhaps even the creation of a combined City-County charter. Citizen involvement would also be a key component of any such move.

A recommendation of consolidation through a combined City-County charter is beyond the scope of this committee.

However, the Roundtable does recommend that both entities more fully examine opportunities for shared resources and incremental consolidation. Sharing resources could result in cost savings as well as enhanced communication between agencies. Possible areas of consolidation include training exercises and facilities, equipment, records management and data sharing.

Ultimately, the benefits and drawbacks of full-scale consolidation should be weighed by the City, the County, and the citizens.

- **Several recommendations throughout the system require support from the Missouri General Assembly, including additional judges, expanding juvenile staff and expanding the Public Defender's Office. While the Roundtable has recommended the City and County make these issues top legislative priorities, the Roundtable feels the need to go further and directly appeal to our area legislators for their support.**

Recent cuts at the state level have often come at the expense of local government, which is left to pick up the tab for providing such essential services as law enforcement and the administration of justice. These cuts are on top of prolonged and severe under-funding of agencies such as the Public Defender's Office. Local government cannot continue to be expected to absorb these costs without erosion of service.

The Roundtable requests that legislators consider the local cost burden of state budget cuts and the additional damage of continued rhetoric about further cutting budgets and taxes when the system is already so under-funded.

- **The Roundtable recommends that the Courts, Prosecuting Attorney, Springfield Police, and Sheriff work closely and cooperatively to develop a system whereby Probable Cause Statements are prepared and submitted and a decision made to file charges are made within the minimum amount of time following an arrest.**

This will have a great impact on reducing the number of inmates in the jail, will allow bonds to be set, and will reduce time and expense required to for the Sheriff and Police to

locate and bring accused defendants to court.

- **The Greene County Sheriff's Office has a large backlog of unserved warrants. The Roundtable recommends the City and County explore opportunities to check for unserved warrants when government agencies interact with the public.**

For example, a warrant check while paying taxes, visiting the assessor, applying for permits and licenses, paying fees, are all points at which a simple records check could reveal a possible warrant.

- **The Roundtable recommends continued development of alternative courts.**

Developing alternative courts is a very smart use of public money. Any alternatives to resolve issues that minimize the use of our regular courts and also minimize the need to put people involved in minor problems in jail are important and should get a high priority.

- **Drug and alcohol abuse must not be discounted as primary and compounding factors throughout the criminal justice system.**

Universally, representatives of agencies directly involved in dealing with this community's criminal element report that drug and alcohol abuse impacts crime, the jail population, judicial backlogs, child abuse and neglect, juvenile crime and repeat offenders.

- **The Roundtable recommends increased outreach to minority applicants for jobs within the public safety and criminal justice system.**

The Roundtable believes the makeup of these forces must reflect the community they serve.

- **The Roundtable requests progress updates from the City Council and County Commission on these recommendations after six months and one year.**

SAFETY & JUSTICE ROUNDTABLE

December 19, 2007, 7:30 a.m.

Greene County's Hogan Building, 921 Boonville Ave. Springfield, Mo.

AGENDA

1. Welcome

Dave Coonrod, Greene County Presiding Commissioner
Tom Carlson, Mayor, City of Springfield

2. Roundtable co-chair self-introductions

Robert Spence
Jean Twitty
Roundtable members

3. Introduction of public safety and criminal justice officials

Harold Bengsch, Greene County Commissioner

4. Comments from public safety and criminal justice officials

Becky Jungmann, Director, Springfield-Greene County E-911 Center
Lynn Rowe, Springfield Police Chief
Todd Thornhill, Springfield Chief Municipal Judge
Johnnie Burgess, Springfield City Prosecuting Attorney
Jack Merritt, Greene County Sheriff
Darrell Moore, Greene County Prosecuting Attorney
Don Burrell, 31st Circuit Div. 1 Judge and Greene County Presiding Judge
Perry Epperly, Chief Juvenile Officer, Greene County Juvenile Justice Center
Rod Hackathorn, Office of Public Defender, District 31

5. Greene County Law Enforcement video

6. Proposed charge to Roundtable

Roseann Bentley, Greene County Commissioner

7. Any additional business

Robert Spence
Jean Twitty

8. Adjourn

Safety & Justice Roundtable
Dec. 19, 2007, 7:30 am
921 Boonville Ave., Springfield, MO

MINUTES

Roundtable members present: Mike Ramon, Jill Elsey-Stoner, John Crow, Ron Baird, George Templeton, Bob Cirtin, Robert Spence, Jean Twitty, Jim Cook, Matt O'Reilly, Jim Huntsinger, John Holstein, Bernie McCarthy, Mark Skrade, Brad Stokes.

Roundtable members absent: Steve Ijames, Stephanie Montgomery,

Others present: Dave Coonrod, Harold Bengsch, Roseann Bentley, Tom Carlson, Bob Cumley, Evelyn Honea, Collin Quigley, Cindy Stein, Lynn Rowe, Johnnie Burgess, Jack Merritt, Darrell Moore, Don Burrell, Perry Epperly, Rod Hackathorn, Tom Van de Berg, Deana Farley, Jeff Reinold, Kathy McReynolds, Jenny Edwards, Mike Brothers, Maria Saavedra (KY3) and KY3 photographer.

1. Welcome from Dave Coonrod and Bob Cumley:

Dave Coonrod:

Stressed the importance of the subject at hand and thanked the group for its time today and during the process to come. There is no timetable. We are simply looking at the situation and determining what the best course should be for the system as a whole.

Bob Cumley: Mayor Carlson will be arriving late- thanks on behalf of city.

2. Proposed Charge to Roundtable

Roseann Bentley: This is why we originally thought we needed this group
(read proposed charge:)

“The Safety & Justice Roundtable is charged with developing a comprehensive understanding of the community’s criminal justice system through studying the interconnectivity of all departments and offices within that system, identifying and prioritizing needs within the system and recommending solutions to address those needs. The Roundtable will coordinate with the public information offices of the City of Springfield and Greene County in posting meeting schedules and agendas, as well as fulfilling requests for documents and speakers, keeping minutes and preparing the final report to be presented to the Greene County Commission and mayors of Springfield and Greene County municipalities.”

3. Roundtable introductions

Robert Spence: Roundtable responsibilities will include prioritizing needs, and to try to offer a report for the entire committee, could recommend funding sources. But as we move through we are not working with a specific deadline.

Jean Twitty: Delighted to serve, hope we can help the community learn more about the issues and be educated about them

Self- introductions of Roundtable members

4. Introductions of public safety and criminal justice officials

Harold Bensch introduced officials present

5. Comments from officials

Bensch speaking for Becky Jungman: Group may tour 911.

Chief Rowe: As city has grown it has resulted in tremendous demand for increase on part of SPD, double digit crime growth, above 10 percent over last year, more weapons, drugs, shootings involved which we haven't had in the past. Capital needs continue to increase, fleet is aging. 97 was last successful tax increase. In dire need of add staff and other resources.

Johnnie Burgess: Office of 4 attorneys process more than 50,000 cases each year. Addressed what he believes are quality of life issues: traffic, safety, drugs. While some think of them as minor crimes, they have a serious impact on comm. The MC facility is aging and cramped. Doing a lot with less funding.

Jack Merritt: Thanked the group for this review. Rise of crime along with population increase. Subdivisions are springing up, officers patrol these new areas. Personnel is the greatest cost for Sheriff's Dept. The jail is probably the most significant part. Booking more than 20k inmates a year. Welcomed group to come tour the jail, population averages between 520 and 550. When state funding has been reduced, it adds a burden to the jail and SD.

Darrell Moore: Case load since 1998 has increased 151 percent in terms of felonies. With 39 FT attorneys they are the largest law firm in the county. 2003 sales tax failed and had to look at case load because of this. Has taken on career criminals rather than smaller crimes, city taken over misdemeanors in the city. Welcomed group to tour their facility. Technology: next year they will go paperless. Laptops will replace piles of files. Would appreciate any public policy input this group might have because he has tried to make decisions based on what he believes the community would want.

Mayor Carlson: (arrived late) Welcome to the board. Problems are systemic and these issues start when kids are young and grow throughout their lives. Preventative measures can be key. This approach is a welcome one – looking at the whole system as a group and

understanding each of its parts. If we don't do this thoroughly, the public will be aware of that. Public safety is paramount in public service. Thanked the group for its service.

Don Burrell: Kalmanoff report showed that each part of the system is in its own compartment and doesn't always see the other parts and how it all works together. Greene County is right up there at the top of the need in terms of numbers. We have time and space problems. Takes too long to get cases through the system. Needs to be in the six-month range, but is way beyond that. Need more resources to provide defense council for everyone that needs it. Hope to hire a business manager (courts administrator) to help carry on the work of the courts.

Perry Epperly: Juvenile is in the process of a cultural change now. It's their intention and effort to build an excellent system. Deal with two types of behaviors: conduct of the child, and conduct of their caretakers. Currently there are 800 children in foster care because their parents were found to be unfit. 60 percent removed because of substance abuse problems. Programs are home-grown and designed for Greene County. Welcomed the group to look at their operations and facilities.

Rod Hackathorn: Office of the Public Defender: represents those who are indigent. Currently have 18 attorneys and 8 support staff, not only for cases in Greene but Taney and Christian counties as well. We are very well overwhelmed. Each attorney has 150 to 200 open cases – that is unmanageable. State funded, but important to get word out at local level because they are in bad need of resources. State does not intend to increase staff, which in this situation could affect people's rights and the speed of due process. Looking at a year to two years out for a trial in a serious felony case.

Harold Bengsch: Additional Resource staff available to the SJR includes:

Jeff Reinold – County budget officer
Cindy Stein – County auditor
Evelyn Honea – Deputy City Manager
Collin Quigley – Assistant City Manager
Deana Farley – Municipal court
Jenny Fillmer Edwards – County PIO
Mike Brothers – City PIO

6. Played Greene County Law Enforcement video

7. Co-chair closing remarks

Mr. Spence: Information has shown the need for depth of research. Want the committee to look at the whole system. He wants the group to make visits to as many sites as possible to help drill down into the issue. Hope to convene again in January with a more focused direction. Communication will be done electronically. Stressed again that there is no time limit.

Ms. Twitty: A process like this, we come with our own views, opinions and biases. Encourage you to take your own notes and see the meetings through your own eyes. Please submit your own personal recommendations for how business should be conducted during the process.

Meeting adjourned.

(Minutes taken by Mike Brothers)

**Charge
to the
Safety & Justice Roundtable
Dec. 17, 2007**

The Safety & Justice Roundtable is charged with developing a comprehensive understanding of the community's criminal justice system through studying the interconnectivity of all departments and offices within that system, identifying and prioritizing needs within the system and recommending solutions to address those needs. The Roundtable will coordinate with the public information offices of the City of Springfield and Greene County in posting meeting schedules and agendas, as well as fulfilling requests for documents and speakers, keeping minutes and preparing the final report to be presented to the Greene County Commission and mayors of Springfield and Greene County municipalities.

**Safety & Justice Roundtable meeting
Jan. 23, 2008, 7:30 a.m.
Greene County Historic Courthouse, Room 300**

AGENDA

1. Call to order

Robert Spence and Jean Twitty, Roundtable co-chairs

2. Self-introductions

3. Review/approve Dec. 19 minutes

4. Overview and discussion of Greene County court system

Judge Don Burrell, 31st Circuit, Div. 1

5. Overview and discussion of Greene County 2008 Budget

Jeff Reinold, Greene County Budget Officer

Cindy Stein, Greene County Auditor

6. Distribution of 2003 Kalmanoff report and county's response

Jeff Reinold, Greene County Budget Office

7. Other business

8. Set next meeting date

9. Adjourn

Safety & Justice Roundtable
Jan. 23, 2008
Greene County Historic Courthouse, Room 300

MINUTES

Roundtable members present: Bob Cirtin, John Holstein, Jim Huntsinger, Steve Ijames, Yolanda Lorge, Bernie McCarthy, Stephanie Montgomery, Nate Quinn, Michael Ramon, Mark Skrade, Robert Spence, Brad Stokes, George Templeton, Jean Twitty

Roundtable members absent: Ron Baird, Jim Cook, Jill Elsey-Stoner, Matt O'Reilly

Others present:

Judge Don Burrell, 31st Circuit, Div. 1

Jeff Reinold, Greene County Budget Officer

Cindy Stein, Greene County Auditor

Collin Quigley, Springfield City Manager's Office

Mike Brothers, Springfield Public Information Office

Jenny Fillmer Edwards, Greene County Public Information Officer

Didi Tang, Springfield News-Leader,

Photographers from KY3, KOLR, KSPR

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1. Call to order and welcome- Robert Spence and Jean Twitty
 2. Self-introductions
 3. Approval of Dec. 19 meeting minutes. Minutes were approved as is.
 4. Jean Twitty introduced Judge Don Burrell, 31st Circuit Div. 1, who has recently been appointed to the Missouri Southern Court of Appeals. Jean Twitty emphasized the importance of taking good notes and discussing a possible rating system for issues the Roundtable studies.

Don Burrell said he appreciates the opportunity to address challenges: "There are several areas I'd love for you all to look at, but I don't have solutions for.

"One is information technology. Greene County was one of the first Missouri courts to go to computer docket system. Now we are required to go live with statewide system in April. This will be a new system. It will challenge size of clerk staff, require more time up front in uploading information.

"Another issue is determining who shows up at the jail daily. Whenever someone comes into custody, they need to see a judge. Judges have no way of knowing who has been booked. The system doesn't notify judges, but they need to see a judge by the next day- sometimes it's several days before this happens."

On the issue of judges' caseload, "In other parts of the state where judge/case ratio is better, court dates revolve faster. In Greene County, it takes a while to get the cases resolved, resulting in more inmate time in the jail. 95 percent of cases are going to be a guilty plea, but we don't know which until when the case is set. We need a smaller number of cases set each week, so we have more of a sense of which need urgency. Statewide weighted workload study shows Greene County needs another seven judges. Nowhere

else was it that high of a recommended percentage increase. I think we can function with fewer than seven new judges, but we do need more judges.

"I'm an attorney and a judge, but not a business manager. Kalmanoff (report) recommended a Court Manager (administrator) to do that, to weed through cases and prioritize and manage caseload.

"Security issues: there is no secure parking for judges. This leaves judges vulnerable to attack. I'd like to see that improved. There are not enough security people in jail, bailiffs or courthouse security. (In the Judicial Courts Facility) only one line runs through the metal detector and in the morning, the line runs out the front door. If a fight erupts outside, security can't respond, because they're guarding the door. There are not enough personnel in the jail to bring prisoners into the courtroom and supervise them while in court."

On physical building space: "There's a bill before the state legislator asking for additional family court judges, but we have no courtroom space for them. The county has long-term plans for addressing this, but we are out of space now, especially in juvenile building. The idea is to build a bridge building between judicial facility and juvenile, but there's no money for it. Space is a definite challenge."

Judge Burrell said he was open to questions.

Michael Ramon: "When people are booked into jail, how is the court notified?"

Judge Burrell: "I'm not sure, and I'm shocked inmates don't complain more. Numbers are jumbled up within daily census, sometimes people get sent to the wrong courtroom or on the wrong date."

Michael Ramon: "In terms of Information Systems, is there a coordinating committee to make sure judges, jail clerk and all online?"

Judge Burrell: "In a sense, yes, and we have high hopes."

Bernie McCarthy: "What is county funding in courts system?"

Judge Burrell: "The county provides building space, bailiffs' salaries. State of Missouri pays salaries of judges and clerks and staff."

George Templeton: "Is all the space utilized?"

Judge Burrell: "We once had extra courtrooms but not anymore. And now we have no room for visiting judges. We have to juggle and post signs for any visiting judges and sometime there is simply no courtroom space. We have one courtroom per judge." Judge Burrell continued to explain the circumstances in which retired judges, senior judges, need courtrooms. "Senior judges offer extra help and get orders from the Supreme Court to handle certain cases, then they move around instead of remain on salary."

Mark Skrade asked about software systems. "Is there an integrated system available, and is it cost-prohibitive?"

Judge Burrell: "If there is an integrated system, I don't know it. Now, the Prosecutor has a system, the sheriff has a system, but they're separate smoke stacks. We're moving paper back and forth through system. We can't do that anymore and we just patch the systems together instead of having an integrated system."

Mark Skrade: "What is the cost of the inefficiency and could that be addressed?"

Judge Burrell: "I don't know."

Robert Spence asked about the court administrator position.

Judge Burrell: "It depends on applicants, corresponding pay grades. An office manager would bring different skills than an attorney. Right now, nobody is the manager, nobody to take on all these challenges because judges are busy with court."

Jean Twitty: "Has there been this position before in Greene County?"

Judge Burrell: "Not that I'm aware of."

John Holstein: "The county could look at St. Louis County for an example of this position."

Judge Burrell: "Yes, and I like Boone County as well. This is not a brand new concept."

Robert Spence: "Who pays for this position?"

Judge Burrell: "It will be paid for by county, reports to Court en Banc."

Jean Twitty: "Can you prioritize your top three priorities?"

Judge Burrell: "I'd rather you all do that but I'll do the best I can. Number One is court administrator, but that's going to happen later this year. Number Two: we need more judges, and, therefore Number Three: more courtroom space. We almost got another judge last year, we've made our case to the legislator, but I just don't know how to get more bodies and space."

Bernie McCarthy: "How does a two-year wait (on a trial) affect justice?"

Judge Burrell: "Justice delayed is justice denied. People die, move away, go to Iraq, forget details. Sometime cases have to be dismissed because major people have disappeared. The passage of time hurts. The crime lab would help. The Public Defender's caseload is also a bottleneck for us."

Michael Ramon: "Has there been a ratio study of judge/caseload upon the remainder of (law enforcement) system? How does an extra judge affect rest of the system?"

Judge Burrell: "Not that I'm aware of. But that would be great. (State) Office of Courts Administrator does a lot of studies, but I'm not aware of that one."

Jim Huntsinger: "How do you get around delayed cases?"

Judge Burrell: "After 180 days, you have to have a Disposition of Retainer. If we have a case not under that act, it gets bumped in favor of Disposition of Retainer. The 'Right to a speedy trial,' that's a loose term. We do the best we can do. We try them as quickly as we can."

Jean Twitty asked if there were any more questions. She encouraged the Roundtable to keep notes, and asked Jenny to find out more about Boone County Court Administrator position and the recent weighted workload study.

Jean Twitty asked who the new circuit clerk would be.

Judge Burrell said the governor would appoint it. "There is a proposal that Mike Carr supports to make that an appointed person and not elected."

John Holstein: "Historically the circuit clerk's association has opposed that position being appointed."

Judge Burrell: "Yes, although there are some proposals that would have it appointed only in more populated counties."

Jean Twitty thanked Judge Burrell for coming and welcomed Greene County Budget Officer Jeff Reinold and Greene County Auditor Cindy Stein to present a county budget overview.

Jeff Reinold: "Thanks, and Judge Burrell has been wonderful to work with and this is a big loss for Greene County. (He distributed budget and Powerpoint documents, and apologized that the computer was not working for his Powerpoint presentation. Going through the budget documents, he described the following funds.)

On Revenues: "Our main sources are sales taxes. Intergovernmental: that's grants, transfers from other funds, contractual agreements with City of Springfield, etc. Fees and licenses- is exactly what is says. Biggest remaining: interest income and other small revenues.

"Next chart: 2008 and 2007, percent of total revenue. Sales tax is the single largest item. Estimated growth for 2007 was estimated at 3 percent. Last year, sales tax took a nosedive. We ended up with 2.1 percent growth. That's a rough start for 2008. Sales tax as a whole is 30-35 percent of whole budget."

On expenditures: "Compensation and benefits in staffing is the single largest expense for county. Cost of living and step increases are budgeted for this year. Health insurance costs are stable. I have 72 new requests for full time staff last year. Most of them are in law enforcement, and the sheriff needs those positions. We need more patrolmen, detectives, prosecutors. We funded 17 new positions: Prosecutor has three, Courts had four, including Court Administrator which will be advertised within next few weeks. That will be coming soon, to give judges relief. We also pay LAGERS pension fund, 7-percent of salaries, paid by county."

On Law Enforcement Sales Tax (LEST): "Tax was approved by voters in 1997, it generates \$12 million (this year) but about \$8 million goes to other municipalities-- most of it to Springfield (\$7.2 million.) Out of the \$4 million Greene County keeps, we pay for the countywide trunk radio system, so all law enforcement can talk to each other. We're still paying a bond issue on that. The remainder is salaries- jail, sheriff, prosecutor."

On Capital Improvements: "Most of it is in the Road & Bridge fund. Also, this year is a comprehensive accounting software system. Currently the auditor, treasurer, budget office, and purchasing all use different systems. We can't talk to each other. In the jail we've implemented a new records management system, but it takes time to work the bugs out. We went live in October. Still, it will be difficult to communicate, logistically, between our records management system and the state court computer system. It can be done but it'll be difficult. Also, money is appropriated every year to renovate the Historic Courthouse."

On the Parks Sales Tax: "This is another tax in the county budget where we don't keep all the revenue. We receive \$1.7 million from it and it all goes to stormwater mitigation. The remainder goes to Springfield-Greene Co Park Board."

On county budget policies: "County policy is that reserves has 3 months of operations. This budget meets that requirement, but it's very slim. Also, the county's liability reserve account is \$1 million. We get sued by people in our jail. We have put cameras up in booking, which tends to be most volatile location. (Another policy is) our operating budget: projected revenues exceed expenditures."

"The book you have in front of you is the complete 2008 budget, also the Kalmanoff Report and details of what we've don't with that."

"Kalmanoff was hired in 2002 to help us become more efficient. We had a brand-new jail and it was already full. Kalmanoff recommended about 60 items, and we've looked at and implemented most of them. Some don't fit for Greene County, but most have been implemented to some extent."

"In the county's Juvenile Office, significant changes have been made to the number of detainees, as recommended. This saves the county and the state money."

"Another success: we've implemented a pre-trial release program. It was a slow start, but we're now saving 170 bed spaces per day. That's 170 people kept out of the jail who don't need to be there. It's saved the county thousands of dollars, created a safer environment for corrections officers and inmates. Most inmates in our jail are awaiting trial. If we can get them out of the jail while waiting for court date, that saves money. We monitor them on ankle bracelets, other methods."

"Criminal Justice Coordinating Committee: this was formed after Kalmanoff, to meet quarterly to share ideas, issues. It's been very beneficial. We were not regularly speaking to each other before. Now there is communication, and this court administrator will help too. The county agreed that we need this new position."

"The Kalmanoff report has challenged us, caused us to look at what we're doing and see what we can do better."

"Other things: there's lots of talk about federal inmates, and some have criticized the sheriff for this. It costs \$46 a day to keep an inmate. The state reimburses us \$21.25. The federal government reimburses \$53. It makes financial sense. When we reduce federal inmates we lose revenue. We're not here to make money, but we do have bills to pay. It's a delicate balance."

The Kalmanoff report is about 200 pages for you to thumb through. I'm happy to answer any questions on it. Also, included in your book is your appropriated budget summary. The second page is just funds Greene County controls-- it excludes library, senior service, developmentally disabled- funds we can't touch. So the second page is just county funds. Next page is just law enforcement-related expenses: \$38 million. Includes sheriff, courts, 911, med examiner, juvenile courts. It's the largest part of our budget, more than Road & Bridge."

Jean Twitty asked if anyone had questions.

Michael Ramon: "In the circuit court, budget shows 8 employees- I thought Judge Burrell said those were state employees?"

Jeff Reinold: "Those are Bailiffs."

Mark Stokes: "Can you send a copy of the Powerpoint to us?"

Jeff Reinold: "Yes."

Bernie McCarthy: "Are these fees and licenses all governed by state?"

Jeff Reinold: "Almost all fees and licenses are."

Mark Skrade: "Could you elaborate on the new computer system, interconnectivity?"

Jeff Reinold: "The issues Judge Burrell raised are being addressed. When a suspect is arrested, they are booked on the scene from patrolman's vehicle. This reduces booking costs and time. That booking report will be going to prosecutor and Public Defender-- that's going to happen, but it takes time. Once we work through the new Sheriff and Jail records system and make sure they are working properly, we'll bring Prosecutor's Office online so they can work paperless. It won't be completed in 2008, but we are taking steps toward it."

Bernie McCarthy: "Is there a booking/arrest ID number can you retain that for jail, prosecutor and booking, or does the ID change?"

Jeff Reinold: "I don't know for sure. But not all municipalities are on the same records management system, and these may assign different numbers. But once they're in the jail they get an ID that everyone can use."

Bernie McCarthy: "Will the new system help notify judges when new inmates have arrived at the jail?"

Jeff Reinold: "We're working through that issue right now. Communication between county and state system is difficult. We're trying to build a bridge between the two, and we're working on that."

Jean Twitty: "Thanks, Jeff. We need to wrap up. This information has been very helpful to us. Questions may come through Jenny, Jeff, Judge Burrell-- we'll get those e-mails."

"One housekeeping issue: we need a ratings system. Does anyone have suggestions for quantifying the information we're hearing? That would be very valuable. I'd love to form a subcommittee to discuss that process."

Jean Twitty asked about preferred meeting times, said the next date would be sent via e-mail.

Jenny Edwards: "Jill Elsey-Stoner requests a move to evenings, and Matt O'Reilly requests more advanced notice of meetings, perhaps a regularly scheduled time and date."

The meeting was adjourned.



**CLERK OF THE SUPREME COURT
STATE OF MISSOURI
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JEFFERSON CITY, MISSOURI**

THOMAS F. SIMON
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Summary of Missouri's Judicial Weighted Workload Study

An overview

Missouri's judiciary has been increasingly attentive in recent years to finding ways to improve its efficiency in administering its affairs wisely as it fulfills its constitutional obligation to the citizens of this state to decide their cases in a fair and impartial manner that is loyal only to the law and the constitution. As part of this obligation, the judiciary has opened itself to evaluations, from the inside and the outside, to ensure that its process for using and distributing the state's resources is thoughtful and wise and based on facts.

One important part of this evaluation process is a judicial weighted workload study, which the National Center for State Courts conducted with Missouri's trial court judges this spring. In contracting with the National Center to conduct the study, the judiciary recognized that there is no consistent understanding of judicial resource needs, leaving neither judges nor their constitutional partners in the legislature with a consistent or coherent method for making decisions concerning allocation or approval of new judicial personnel resources.

Population figures and numbers of cases filed provide only a glimpse of the picture because cases vary in the level of complexity and amount of judicial time and attention needed to be resolved successfully. Just counting cases filed means that a 15-minute hearing involving a traffic ticket and a two-week murder trial each counts as one case, but each obviously has a much different impact on judicial time, both in preparation and in the courtroom. Likewise, time that judges spend on administrative duties is essential to the operation of the courts. In rural areas, especially, where one circuit may include as many as five counties, judges must spend time moving from county to county just to hear cases, and it is important to account for this travel time.

To get a true picture of our needs across the state, we have undertaken a substantial study – the first of its kind in Missouri – to review the weighted workload of Missouri's trial judges. This assessment was performed by the National Center for State Courts, which in the past 10 years conducted judicial weighted workload studies in 20 states and two U.S. territories. In conducting Missouri's study, the National Center used methodology similar to that used in these previous studies as well as in the studies conducted in 2002 and 2005 to determine case weights for court clerks. The weighted caseload method uses time as a measure for workload and is based on the assumption that the more judicial time required to process a case from filing to resolution, the more judicial work that case involves.

Missouri's methodology

In performing the study here, the National Center worked with a steering committee chaired by John O'Malley, circuit judge in Jackson County, and Byron Luber, associate circuit judge in Pemiscot County, and comprised of circuit and associate circuit judges from both urban and rural courts geographically dispersed throughout the state. The steering committee identified the appropriate categories into which Missouri's trial court cases fall – called "case types" in the study. These 19 case types are consistent with those used in the clerks' weighted workload study.

In March 2007, more than 99 percent of Missouri's circuit judges, associate circuit judges and commissioners – a record-high level of participation in any study the National Center has conducted – logged their time every minute of every workday for four weeks. When senior judges or law clerks were performing judicial tasks, they logged their time as well. Participants noted the amount of time they spent working on "case-related activities" within the 19 case types as well as on non-case-related functions such as committee meetings, community activities, administrative duties, and general research and reading to stay current with the law.

Certain measures of time are important in the judicial weighted workload study. First is the "judge year" – the number of days each year that are available to judges to hear cases. In Missouri, the "judge year" is calculated as 219 days – calculated as 365 days in the year minus the 104 weekend days; the 12 days given as state holidays; 20 days for vacation, sick, bereavement and military leave; and 10 days used for judicial education and training. The last two numbers were based on reasonable estimates provided by the steering committee. Missouri's judge year of 219 days is slightly longer the judge year of only 212 days that is the average judge year from 37 studies conducted in the last decade.

The next time measure important to the judicial weighted workload study is the ideal "judge day" – which the steering committee determined begins at 8 a.m., ends at 5 p.m., and includes one hour for lunch and 30 minutes for breaks. That day then had to be broken down into three parts. First is the time spent on work-related travel, which the study shows ranges from about 10 minutes per day in a single-county circuit to nearly 45 minutes a day in a five-county circuit. Second is the time spent on non-case-related activities, which the study shows is an average of 1.65 hours each day. Finally is the time judges devote to case-related matters, which the study shows ranges from 5.12 hours per day in a five-county circuit to 5.69 hours per day in a single-county circuit.

The final time measure important to the judicial weighted workload study is the "judge year value" – an estimate of the amount of time the average trial judge has to hear cases during the year. This figure is calculated by multiplying the number of hours available in a day for case-specific work by the judge year of 219 days. In Missouri, the study shows the judge year value ranges from nearly 67,300 minutes in a five-county circuit to nearly 74,800 minutes in a single-county circuit.

What cases require the most time?

Once all the data was collected from the four-week study and compiled, the results were extrapolated to 12 months and then divided by the number of filings for each case type in calendar

2006. The ensuing figures are the preliminary "case weights" – average amount of judicial time required to handle a particular case from filing to resolution – for each case type.

The National Center's research staff and members of the steering committee then held focus groups with judges around the state in April 2007 to share initial research results and to determine whether any anomalies occurred during the data collection month that might have skewed results, whether the preliminary case weights (amount of judicial time needed for a particular case type) appeared valid on their faces or whether there was anything unique about a particular circuit that might require a particular case type to be given greater or lesser weight. After much discussion, neither focus group members nor the steering committee believed any of the case weights should be adjusted for unique circumstances.

As a result, of the 19 case types, those with the greatest weight are:

1. Sexual predator cases, requiring an average of 1,432 minutes per case.
2. Juvenile and family treatment court cases, requiring an average of 476 minutes per case.
3. Adult treatment court cases, requiring an average of 389 minutes per case.
4. Time-intensive (complex) civil cases in circuit court, requiring an average of 292 minutes per case.
5. General civil cases in circuit court, requiring an average of 147 minutes per case.
6. Cases involving decedents' estates, requiring an average of 141 minutes per case.
7. Domestic relations cases (excluding those for protective orders), requiring an average of 140 minutes per case.
8. Felony cases in circuit court, requiring an average of 124 minutes per case.
9. Cases involving the estates of minors or those found to be incapacitated, requiring an average of 121 minutes per case.
10. Cases involving child abuse or neglect, adoption, or termination of parental rights, requiring an average of 111 minutes per case.

Cases given the least weight are:

17. Mental health cases involving petitions for involuntary detention and other mental health applications, requiring an average of 13 minutes per case.
18. Civil cases in associate circuit court, requiring an average of 12 minutes per case.
19. Cases involving traffic, watercraft, conservation and municipal violations, requiring an average of 4 minutes per case.

What is the impact on allocating Missouri's judicial resources?

Once the judge year value and case weights have been established, it is possible to calculate judicial case-related demand by dividing the judicial workload value (the annual number of minutes of work required given the number of cases filed and the relative case weights) by the judge year value, which ranged from nearly 67,300 minutes for five-county circuits to nearly 74,800 minutes for single-county circuits. The resulting number represented the number of full-time equivalents (FTEs) of judges or commissioners needed to manage the work of a given circuit court.

The overall picture appears to be consistent with what might have been anticipated by considering how resources already are shared through the judicial transfer program. Of the state's 45 judicial circuits, it appears that 40 percent (18 circuits) will be within one judicial resource from the need shown in the study. These circuits do not normally need additional judicial resources. Only three circuits – three of the state's largest circuits in terms of numbers of existing judicial personnel – may need more than five additional full-time equivalent judicial resources. Three other circuits may be found to need additional resources equivalent to more than half their current available judicial resources, but all three currently draw from the pool of senior judges or the judicial transfer program and so as a practical matter have already resolved some of this need. And only two circuits – one urban (and only if one includes commissioners as well as judges in the count of available judicial personnel) and one rural, multi-county circuit – have more than three judicial officers more than they need to manage their daily case loads, but both already are sharing or are willing to share their judicial resources with nearby circuits through the judicial transfer program.

Although Missouri would theoretically need numerous additional judges to meet these needs, in nearly all circuits the transfer program and judicious use and allocation of senior judge and other resources, as well as the willingness of Missouri's judicial personnel to work above and beyond the hours which should be considered the norm according to the study, has allowed all cases to be heard without undue delay and with adequate attention to each case.

Further examination will be warranted of the individual circuits' judicial case-load demands, as will further discussion of how to utilize senior judges and the transfer of judicial personnel to share the circuits' case-load demands, and whether particular circuits in busy areas of growing population might need to develop a long-term plan for funding additional judicial resources.

ATTACHMENTS

Missouri Judicial Weighted Workload Summary Chart

This chart provides a list ranked by the number of judges/commissioners needed by each judicial circuit. Those with the greatest need appear at the top of the list. Included in the chart are:

- a. Rank (from highest to lowest)
- b. Circuit numbers and counties that are within each circuit
- c. Traffic case filings for Calendar Year 2006 used in the Judicial Weighted Workload Model. For courts not in the Fine Collection Center (FCC), the numbers were adjusted to reduce by the number which would be filed if the court was in the FCC. Traffic case filings are shown in a separate column since they require only four (4) minutes of judicial time per case.
- d. Non-traffic case filings for Calendar Year 2006, adjusted to include original filings only as used in the Judicial Weighted Workload Model.
- e. 2006 population.
- f. Case specific workload hours needed. This number reflects row 21 of the Missouri Judicial Weighted Workload Model converted to hours. This does not include any non-case related time which is considered in the judge availability in the model (e.g., leave, travel time, research and administrative work).
- g. Current number of Circuit Judges, Associate Judges, and Commissioners (Drug Court, Family Court, and Probate).
- h. Judges and Commissioners needed are shown as a positive number. Judges available for transfer are shown as a negative number. This number has been rounded to the nearest .5.

Missouri Judicial Weighted Workload Summary Map

By color, each circuit is categorized as follows:

Those that need Judges/Commissioners:

- a. Dark Green – need greater than 5 Full Time Equivalent (FTE)
- b. Light Green – need 1-5 Full Time Equivalent (FTE)

Those that have Judges/Commissioners available to transfer:

- a. Yellow – less than 1 Judicial Resource available for transfer
- b. Orange – greater than 1 Judicial Resource available for transfer

Missouri Judicial Weighted Workload Summary Chart
Ranked by Number of Judges/Commissioners Needed
(Rounded to nearest .5)

Rank	Circuit Number and Counties within Circuit	General Information			Case Specific Workload						
		Traffic Case Filings ⁽¹⁾	Non-Traffic Case Filings ⁽¹⁾	2006 Population	Hours of Judge Workload to do Case Load ⁽²⁾	Current # of Judges/Comm. Available				Judges/Comm + = Needed - = Available for Transfer	
						Circuit	Associate	Comm ⁽³⁾	Total		
1	21	St. Louis County	8,279	78,039	1,000,510	59,968	20	13	6	39	9
2	16	Jackson	5,909	68,927	664,078	54,907	19	9	8	36	8
3	31	Greene	4,482	31,112	254,779	26,110	5	4	5	14	7
4	38	Christian & Taney	3,963	12,549	114,284	10,804	1	4	0	5	4
5	11	St. Charles	10,712	23,922	338,719	19,424	6	6	0	12	3.5
6	13	Boone & Callaway	7,426	21,808	189,120	16,775	4	6	1	11	3
7	40	McDonald & Newton	4,309	9,792	78,996	8,124	1	3	0	4	3
9	7	Clay	5,480	17,392	206,957	12,989	4	3	1	8	2.5
10	19	Cole	1,244	9,218	73,296	7,982	3	1	0	4	2.5
11	5	Andrew & Buchanan	4,331	13,333	102,132	10,747	4	3	0	7	2
8	24	Madison, St. Francois, Ste. Genevieve & Washington	4,910	14,296	116,720	11,089	2	5	1	8	2
12	26	Camden, Laclede, Miller, Moniteau & Morgan	3,805	14,826	136,171	12,297	2	7	0	9	2
13	29	Jasper	2,258	14,424	112,505	11,157	3	3	1	7	2
14	39	Barry, Lawrence & Stone	3,805	11,127	105,186	10,210	1	6	0	7	2
15	32	Bollinger, Cape Girardeau & Perry	2,357	10,442	102,854	9,039	2	4	0	6	2
16	25	Maries, Phelps, Pulaski & Texas	5,168	13,651	118,976	11,211	2	6	0	8	2
17	33	Mississippi & Scott	1,359	8,810	54,838	8,086	1	3	1	5	2
18	35	Dunklin & Stoddard	1,261	10,306	62,031	8,734	1	4	1	6	1.5
19	36	Butler & Ripley	1,697	7,387	55,519	6,356	1	3	0	4	1.5
20	45	Lincoln & Pike	4,071	6,965	68,689	6,256	1	3	0	4	1.5
21	30	Benton, Dallas, Hickory, Polk & Webster	7,802	10,658	109,770	9,200	1	6	0	7	1
22	17	Cass & Johnson	6,597	11,223	146,427	9,585	2	5	0	7	1
23	20	Franklin, Gasconade & Osage	6,438	11,123	129,199	9,205	2	5	0	7	1
24	18	Cooper & Pettis	3,358	6,594	57,961	5,537	1	3	0	4	*
25	12	Audrain, Montgomery & Warren	6,478	7,783	67,594	6,421	1	3	1	5	*
26	34	New Madrid & Pemiscot	3,094	6,202	37,477	5,362	1	3	0	4	*
27	14	Howard & Randolph	1,118	4,800	35,387	3,921	1	2	0	3	*
28	27	Bates, Henry & St. Clair	5,645	5,623	49,424	4,808	1	3	0	4	*
29	23	Jefferson	6,783	17,177	216,469	15,108	6	6	0	12	*
30	6	Platte	3,974	8,903	83,061	6,097	2	3	0	5	*
31	15	Lafayette & Saline	5,605	5,963	56,082	5,794	1	4	0	5	*
32	37	Carter, Howell, Oregon & Shannon	5,477	7,839	63,600	6,486	1	5	0	6	*
33	10	Marion, Monroe & Ralls	2,625	5,590	47,746	4,262	1	3	0	4	*
34	44	Douglas, Ozark & Wright	1,839	4,401	41,448	4,243	1	3	0	4	*
35	8	Carroll & Ray	1,546	3,402	34,057	2,857	1	2	0	3	*
36	28	Barton, Cedar, Dade & Vernon	1,869	5,475	55,272	4,769	1	4	0	5	-1
37	2	Adair, Knox & Lewis	955	3,961	38,706	3,317	1	3	0	4	-1
38	41	Macon & Shelby	1,222	2,500	22,296	2,111	1	2	0	3	-1
39	42	Crawford, Dent, Iron, Reynolds & Wayne	5,078	8,228	69,108	7,184	2	5	1	8	-1.5
40	9	Chariton, Linn & Sullivan	1,800	2,955	27,696	2,531	1	3	0	4	-2
41	43	Caldwell, Clinton, Daviess, DeKalb & Livingston	5,821	6,614	64,656	5,678	2	5	0	7	-2
42	3	Grundy, Harrison, Mercer & Putnam	2,540	3,161	27,874	2,763	1	4	0	5	-2.5
43	1	Clark, Schuyler & Scotland	1,273	1,891	16,498	1,613	1	3	0	4	-2.5
44	4	Atchison, Gentry, Holt, Nodaway & Worth	3,481	2,971	41,364	2,716	1	5	0	6	-3.5
45	22	City of St. Louis	470	49,319	347,181	42,808	24	7	7	38	-3.5
TOTALS							141	193	34	368	

as of October 17, 2007

⁽¹⁾ - Filings are for Calendar Year 2006

⁽²⁾ - Minutes of Case-Specific Workload (Row 21 of Missouri Judicial Weighted Workload Model) converted to hours

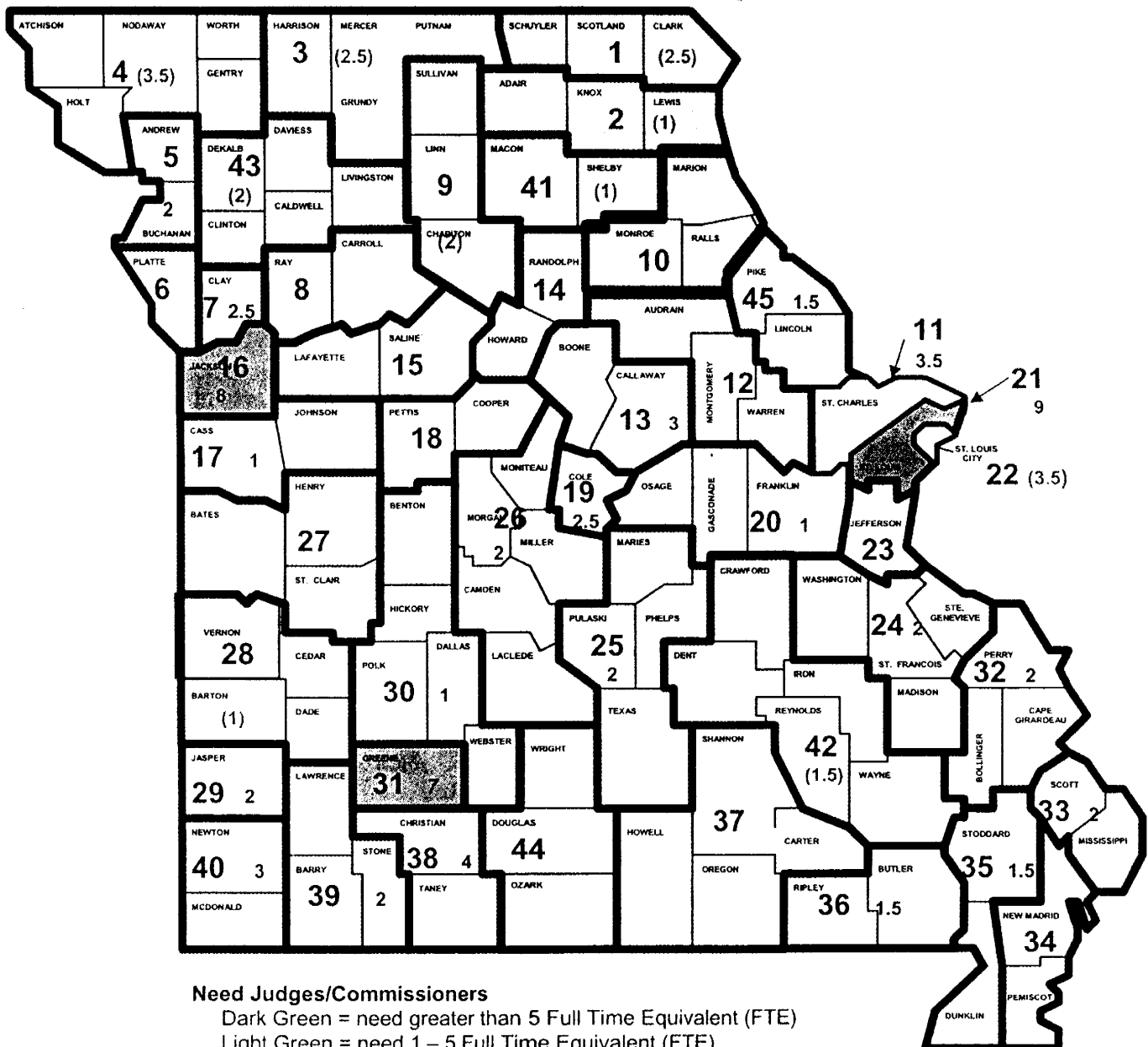
⁽³⁾ - Number of Commissioners includes Drug Court, Family Court and Probate Commissioners

* - Number of Judicial Resources within .5 of need

Missouri Judicial Weighted Workload Summary Map

October 17, 2007

(Rounded to nearest .5)



Need Judges/Commissioners

Dark Green = need greater than 5 Full Time Equivalent (FTE)

Light Green = need 1 – 5 Full Time Equivalent (FTE)

Black Small Numbers = Judicial need over 1 Full Time Equivalent (FTE)

Judges/Commissioners Available for Transfer

Yellow = less than 1 Judicial Resource available for transfer

Orange = greater than 1 Judicial Resource available for transfer

Red Numbers = Resources available for transfer

Safety & Justice Roundtable meeting
Feb. 20, 2008, 7:30 a.m.
Busch Municipal Building, 4th Floor Conference Room
840 Boonville Ave., Springfield

AGENDA

1. Call to order

Robert Spence and Jean Twitty, Roundtable co-chairs

2. Self-introductions
3. Review/approve Dec. 19 minutes
4. Overview and discussion of City of Springfield budget as it relates to law enforcement, E-911 and the Municipal Court

Mary Mannix-Decker, Director of Finance, City of Springfield

5. Other business
6. Adjourn

SAFETY AND JUSTICE ROUNDTABLE
Feb. 20, 2008
Busch Building, 840 Boonville Ave., Springfield, Mo.

MINUTES

Roundtable members present: Steve Ijames, Michael Ramon, Matt O'Reilly, Nate Quinn, Bradley Stokes, Ron Baird, John Crow, Jean Twitty, Robert Spence, Jim Huntsinger, Bob Cirtin, George Templeton, Jill Elsey-Stoner, Stephanie Montgomery, Mark Skrade

Roundtable members absent: John Holstein, Jim Cook, Bernie McCarthy

Others present: Jenny Fillmer Edwards, Greene County; Mike Brothers, City of Springfield; Mary Mannix-Decker, City of Springfield; Dirk Vanderhart, News-Leader; Emily Rittman, KSPR; camera from KOLR

1) Minutes were accepted from January meeting .

2) PRESENTATION by Mary Mannix-Decker, Director of Finance, City of Springfield:
Explanation of law enforcement funding for the City; funding sources and expenditures

The total budget for law enforcement funding is about \$38.3 million, most of which (about \$28 million) comes from the City's General Fund. The rest of the funding is generated through a Law Enforcement Sales Tax (about \$9 million), grant and agency funding (about \$900,000) and fees for records management at the Municipal Court (\$175,000). The LE Tax is shared with Greene County.

There are about 500 employees in this sector working for the City.

Revenue for the GF is generated 60 percent by sales tax which is a volatile source of revenue, and is right now in a down cycle. About 1 percent down from same period last year. Other taxes make up 21 percent of the GF, such as payments in lieu of taxes from CU, gross receipts tax. About 10 percent comes from licenses and fees. A small piece is intergovernmental, which is a reimbursement from Greene County for E911 purposes.

Does not include special revenue funds, which are often separate voter-approved taxes.

The \$28 million for law enforcement that comes from the General Fund represents about 39 percent of expenditures from the GF.

These departments do not have a dedicated revenue sources, so they are essentially "at the bottom of the food chain" when it comes to funding.

City's fiscal year runs July 1 to June 30.

A look at the General Fund breakdown:

Springfield Police Department — Budget from GF: Personnel services, overtime and temporary, supplies and services, and capital (which is mainly vehicles). Total is about \$22 million.

Muni court — Budget from GF of about 1.4 million, almost all in personnel.

Prosecutor — Budget from GF about \$580,800, again mostly in personnel.

E911 — Budget from GF is about \$3.7 million. City pays for employees and the center operations, then bills Greene County for its portion. City is facing about a \$1.3 million shortfall for E911 which has been budgeted as a subsidy until the fiscal year is over, at which time it could be made up depending on final sales tax numbers.

A look at the other funding sources:

Law Enforcement Tax — About \$9 million in 07/08 FY. Agreed to hire 60 new sworn officers; 78 sworn now hired, along with 12 non-sworn. Debt payments detailed for the E911 radio system, south side police station and HQ renovation.

Grants are not coming as easily as before. “Drying up” as compared to the last four years.

City is looking carefully at funding for all of its departments because of the projected lower sales tax revenues.

- Question about sunsets in the LE tax. The capital projects portion had a sunset, the operation portion did not.
- Question about the hiring freeze. Hiring freeze does not include the Police Academy. There are about 20 perspective new officers in this spring class. However there are about two resignations per month, which does not make up for the attrition happening. Often the PD tries to overhire for a portion of the year, but lately the academy has not been able to recruit the numbers it would like.
- Question about cost per recruit, answer about \$65,000 per person. If someone quits after training it could be upwards of \$100,000. Not losing officers each month “would be a very fiscally sound” approach, Ijames says.
- Question about what recruitment materials are available. Some on Web site GoSPD.com.
- Question about why officers are leaving. Answer: not really sure because she is not sitting in on exit interviews, Mannix-Decker says.
- Question whether shortage of recruits is a nationwide problem. Ijames’s answer is yes, it’s happening everywhere. Need to have a very clean record and strong desire, so it’s tough to recruit them. Officers have left for various reasons and many types of jobs, from law enforcement to pharmaceutical sales and to Carnahan-White Fence. Very few going to the feds right now.

Standards are high at the SPD. Average of two out of each academy are lost during field training because they do not meet the requirements. “We’d rather run short then put people out there that we aren’t sure about” Ijames says.

Not many officers come across the street from the County to the City. County pays slightly less, but officers seem more content these days due to current solid administration at Greene County, Ijames says.

- Question about comparable pay for cities of similar size. Ijames believes City is competitive compared to others in the state because of a low cost of living. Used to be close to Missouri Highway Patrol, but it got a “big bump” a few years ago. Other variables include pension funding and take home cars.

PD is looking at changing beginning pay scale to accommodate “lateral movement” officers who come in with more experience. Because there is no national certification, these officers have in the past started at the same scale as everyone else. There is a deference to SPD’s in-house training academy, which is required for all.

E911 is another area with turnover, Mannix-Decker says. It is a high stress area with three shifts. Have addressed pay issues to this end. Also launched an internship program with students interested in law enforcement to come in and take calls on second or third shift. Starting salary for call takers is around \$25,000, dispatchers get \$2,000 to \$3,000 more. City HR hires for PD, but works very closely with the police in this area because of the specialized nature of the department.

City budget is also online at www.springfieldmo.gov. End of City presentation.

3) DISCUSSION

Dr. Spence would like to again look at the original charge of the group. Group has the prerogative to set its own course. One pressure point is the jail, and he suggests perhaps the group should take a tour of the jail.

Mr. Stokes said he was bothered by Judge Burrell (at the previous meeting) saying judges don’t have a secure place to park, believes it should be addressed immediately.

Mr. Ijames suggests there needs to be some time spent, perhaps in small groups, to come to critical understanding of situations. Suggests looking at staffing formulas for county and city and ask how these numbers were arrived at. These formulas determine the level of service for the citizens. Believes the group should look at retention practices as much as recruitment practices.

Mr. Ramon suggests a common thread is what we are NOT doing in each department because of cost restraints. Compare this to the cost of what we should be doing, then look at the bottlenecks in terms of cost. We must start with an idea of what we want criminal justice to look like in Greene County. Mr. Ijames seconded this, and again mentioned that services are direct result of staffing and cost. What level of service does the average citizen expect?

Mr. O’Reilly talked about the types of crimes and their relationship to the personnel problem. Seems arrests are going up, jails are crowding and we are turning more people away from courts. So the lack of staff is not contributing to a lack of arrests. What types of calls are the police answering and not answering? Is there an exemplary community we could take a look at and study?

Mr. Ramon suggest looking at it by going to the PD and asking “what would it take to investigate every crime” and go to jail and ask “what would it take to hold all the prisoners?” etc. Somewhere between where we are now and those goals is where we can find the trade-offs we need to make to get closer to these goals. Mr. Ijames said the numbers of solvable crimes that are assigned to detectives are tracked. The threshold criteria for crimes that will not be investigated is in a written document (it’s all property based).

Mr. Cirtin said the nitty gritty boils down to money, and that Springfield has traditionally had a no-frills, low-tax budget.

Mr. Ramon talked about how priorities often come down to the political will of an administration. In this case, a public process would mean the citizens would decide.

Mr. Ijames would like the group to look at duplication of services between City and County. Parks, Health and 911 are unified but not LE. Is there any value in consolidation? Savannah-Chatham, Ga., recently unified and it was effortless according to that department.

Mr. Spence would like the assignment criteria for County and City at next meeting. Mr. Ijames said he would bring it next time. Also would like to get areas of interest and expertise in order to break into smaller groups and examine specific issues more closely.

Ms. Edwards suggest the separation of departments may be a matter of state statute.

Mr. Cirtin said he was part of a group called the Sheriff’s Department Oversight Committee, which did an independent analysis of the GCSD and said he would bring copies of the group’s final report to the members.

Ms. Spence suggested that the group needs to “question authority” in terms of being open to doing things in new and different ways, not just sticking to things simply because that is the way they have always been done.

MEETING ADJOURNED

**Safety & Justice Roundtable meeting
March 19, 2008, 7:30 a.m.
Greene County Justice Center- Jail Training Room
1000 Boonville Ave., Springfield**

AGENDA

1. Call to order

Robert Spence and Jean Twitty, Roundtable co-chairs

2. Self-introductions
3. Review/approve Feb. 20 minutes
4. Overview of Greene County Jail

Jack Merritt, Greene County Sheriff

5. Tour of Jail
6. Discussion of Jail
7. Other business
8. Discuss April 23 meeting location/agenda
9. Adjourn

SAFETY AND JUSTICE ROUNDTABLE
Meeting minutes

March 19, 2008
Greene County Jail

MEMBERS PRESENT: Robert Spence, Jean Twitty, Jim Cook, John Crow, George Templeton, Bob Cirtin, Yolanda Lorge, Michael Ramon, John Holstein, Matt O'Reilly, Mark Skrade

MEMBERS ABSENT: Jill Elsey-Stoner, Nate Quinn, Stephanie Montgomery, Bernie McCarthy, Jim Huntsinger, Steve Ijames, Bradley Stokes, Ron Baird

ALSO PRESENT: Jenny Fillmer Edwards, Mike Brothers, Tim Smith, Jim Arnott, Jack Merritt

1) PRESENTATION BY GREENE COUNTY SHERIFF JACK MERRITT

Sheriff begins by saying they are proud of the facility and the operation they run here; he will talk about some of the programs they have initiated here in last few years.

Down today to 530 inmates today, a few weeks ago hit a record high of 599.

When opened in 2001 they had around 300 inmates, which was well over capacity of the old jail, anticipated this facility would handle growth until 2011 but reach capacity in about a year and a half.

County is responsible for running the jail, tax revenues were split 70-30 with City, which amounted to about \$3 million a year, budget here is about \$8 million.

"We're probably the largest mental health facility in the state right now." They come to the jail since the state reduced its benefits, some people are coming from hospitals to the jail because hospitals won't take them and "that's certainly not what were here for. We're here for the criminal justice part of it."

Kalmanoff study looked at what could be done better by Sheriff's office; jail follows sets of policies and procedures everyone follows.

Have developed a work-release program where inmates can be picked up by their civilian supervisor when sentences allows and judges approved it first, jail doesn't make that decision.

They have a crew that goes out and works on the highways and picks up trash and tends the area; they are supervised by road and bridge personnel, so no one who is an escape risk can go on this program, actually perceived as a good thing by prisoners because they get to go out in the summer.

Developing an ankle bracelet program; it will take court approval and they will have to screen individuals that will work best with this program.

Greene County was contracting with a catering company when Merritt came in and it was about \$1.97 per tray; now down to about \$1.20 thanks to a few hired cooks who are aided by trustee (ie inmate) labor on cleanup. Use trustees for laundry as well.

Question about how an inmate becomes a trustee. Answer: they must be evaluated by jail staff and qualify.

Do not keep inmates for other counties here because of costs, except in a few extreme cases; they do have the resources for tougher prisoners here.

One man has been here 868 days with 45 reports on him. This is all pre-trial, not a sentence. Others have been here over 700 days.

Many factors go into this. The prosecutor's office is extremely backed up with cases. New judge is getting disqualified by lawyers bringing cases. Sometimes defenders string things out. Also some prisoners are "pro say" meaning they defend themselves and string out their cases trying to get witnesses to lose interest in showing up.

Question: how many federal prisoners do you have here a day? Answer: if he could he would have about 90 to 100 because of the income they could generate. Right now they are committed to just 35. Get reimbursed \$52 per day for federal inmates versus \$21.25 per day for state inmates.

Jail is staffed for about 400 to 450 inmates.

Question: What percentage are serving sentences? Answer: A small percentage. Yesterday had 538 total: 76 federal, 17 municipal, 383 state, 10 state and muni, but only 49 actually serving a sentence.

Commissary and telephone are money makers; phone system makes about \$15,000 per month.

Book more than 22,000 people per year.

Booking fee is charged when possible. It's \$20. Usually just happens if they have \$20 on them at time of booking. Not really feasible to try to go out and collect it.

Book-and-release program is only for crimes against property and low-level misdemeanors, NOT crimes against people.

Concerned that if they overcrowd and get under a federal court order then a cap could be placed on the capacity which means someone would have to be let go when a new one comes in.

About 260 volunteers work with the jail; most of it is faith-based. There have been more 1,000 baptisms at the jail since Merritt came in.

Forrest Institute provides about 100 to 150 hours a week in counseling, anger management training, relationship skills training, parenting skills, meth ministries, GED classes (have had two graduates, one of whom is now at OTC), Hit No More, Living Free, art classes, job skills training, Hispanic Bible study, English for Spanish speakers, substance abuse awareness, AA, Muslim services – Most are provided by entities such as churches, colleges, local agencies.

Question about chaplain staff. Answer: they have Rev. Charlie who coordinates all of the faith-based programs and training for volunteers. There have been so many volunteers that they have had to split training classes into two groups lately.

Question about the top couple of issues facing the jail. Answer: "What runs cold chills down my back is to think one of the kids in here had been hurt or worse because of our staffing situation." Don't always have the capacity to have two guards in a pod, and that has more 100 prisoners there.

Sales taxes are tough to pass for something like a jail because people don't often see it and are not aware of it. People want to give them bread and water and that's it. They don't understand the liability of not providing proper food and medical care.

Video cameras are installed in every part of the jail. Video is kept "forever and always" as it can be needed at any time because of allegations. "Force reports" are required to be filed anytime an officer lays any kind of hands on prisoner, even for the smallest incidents.

Patrol staffing is a concern but not as large of one. There are five on patrol shifts, one supervisor and four out in the county. A single call can take a few officers.

They are 31 correctional officers short since the jail opened. That's for the ideal staffing. There are 157 currently.

Get about \$4 million reimbursement per year from the state. Budget is about \$8 million a year.

Question about combining forces with City PD. Answer: if that's proven to provide the very best law enforcement then he would be in favor of that. Would require a change in government likely. Salaries are different and would have to be leveled out at considerable cost. Could see advantages but at the same time he would not want to be the one to be bringing it up because the City councils in Walnut Grove, Republic and other towns in Greene County would be upset. A commission would have to be created that's strong enough to deal with that politically. It would usurp some of the authority of the sheriff, unless it all came under the sheriff in the new system.

2) JAIL TOUR

Sheriff Merritt says he believes any new facility should be a minimum security one with minimal staffing required.

Mentions Sheriff Joe Arpaio in Arizona. Very popular with people and Merritt hears about him a lot from locals, but people don't understand what kind of liability Arpaio has. He loses a lot of money for publicity, and Greene County doesn't have that kind of money.

Kitchen has just served some 600 meals.

Booking is all done via computer now. Booking area is constantly videotaped. He would like to have the booking area live on Web cam so people could see what the officers in this area of the jail go through.

Video court allows for small offenses to be tried without a transfer, which saves money.

Question about the percentage of offenders here related to drugs or alcohol. Answer: about 80 to 85 percent. Stronger DWI enforcement since 2001 has increased this number.

Medical staff see 20 to 30 sick calls a day. About 300 of the inmates are on some kind of medication daily. Meds are shipped in daily. Pharmacy bill is more than \$25,000 per month even when using generic drugs. They have a doctor for a few hours per day. Also see hundreds of inmates on an emergency basis. About 26 percent of inmates were on some kind of psych-related drugs last month, much of that is court-ordered. Pre-existing conditions will be paid for by Greene County.

Dentist comes in one day per week and the need is huge. There is also a full-time psychologist on staff.

- END TOUR -

DWI diversion program here is one of the top in the nation.

Question about average stay. Answer: about 16 days. So many of the 22,000 are book-and-release so this skews the number considerably.

Public defenders and judges are paid for by the state, so much of the funding problem for the slow system cannot be fixed only at the local level. It will require some help from the state level.

It was suggested that after this state session ends in May it might be a good idea to bring local legislators in to meet with the group and share insights and suggestions for future sessions.

Question was asked about public perception of “better” facilities for inmates. The facilities aren’t for the benefit of the inmates, they are for the benefit of the men and women who work at the jail. We don’t want to keep the inmates here but we want to keep employees for 20 years.

When the 1996 Law Enforcement tax was negotiated, they “sold the farm” the Sheriff says. City took their 70 percent and hired more officers and made more arrests ... which in turn leads to more bookings at the jail.

Safety & Justice Roundtable
Make-up tour: Greene County Justice Center
April 16, 2008, 8:00 a.m.

Members present: Jill Elsey-Stoner, Stephanie Montgomery, Brad Stokes

Others present: Sheriff Jack Merritt; Dirk VanderHart, News-Leader; Steve JP Liang, News-Leader; Jenny Fillmer Edwards, Greene County PIO

The group assembled in the Jail lobby, then entered Jail Administration area, where their belongings were left behind. Sheriff Merritt introduced the group to CE Wells, Jail Director.

Sheriff led the group into the jail. They looked at the laundry and kitchen areas, where jail trustees were working. Sheriff explained that taking meals on carts to individual pods saves money and is more safe than moving them to a cafeteria area. He explained that trustee labor also saves money, and utilizing trustee labor helped him cut the average cost of each meal from \$1.76 to \$1.20. He explained that more than 1,800 meals are served every day by the jail, including inmates, officers, juvenile detention. He explained that they serve vegetarian and Muslim meals, though it's not always equitable (like cereal instead of eggs and bacon.) In the hallway he pointed out the X-ray machine, where mail is examined.

Entering the secure area through the double interior gate, Sheriff pointed out that all areas are under video surveillance, viewed by Master Control.

In the booking area, Sheriff pointed out the video arraignment room, where inmates may converse in real-time with a judge for arraignment, without leaving the jail. This saves money on guard escorts. About 22,000 inmates are booked every year. Sheriff pointed out "The Pits" – waiting areas for inmates in booking, and holding cells for violent inmates in booking. He said every door in the jail is controlled by Master Control. He pointed out the digital fingerprinting system, which transmits all prints to Mo. Highway Patrol. Booking, he said, is the most difficult area to staff.

Brad Stokes asked how long booking takes. Sheriff said minutes if they're cooperative, hours if they're not, especially if they refuse to give a real identity. Brad asked if male and female inmates are separated in booking. Sheriff said yes, they'd learned to keep them separated. There are many more female inmates now than when the jail was built.

Sheriff described some past allegations from inmates in A Pod (isolation/discipline pod) that had cost the county thousands every year in court costs. Now, \$30,000 worth of camera equipment documents all areas and this clears up frivolous suits and save the county money.

Sheriff described the book-and-release program (Pre-Trial Release) and how it was a Kalmanoff recommendation. It keeps many potential inmates out of the jail, but still supervised. Even so, the jail population has 599 recently. DWI and other offenders have a minimum hold.

Sheriff said it costs \$42-45/day to house each inmate. State reimburses \$21.25- \$1.25 less than it paid in 2002. Senator Nodler has recommended a 25-cent increase. Brad asked what the city reimburses the jail. Sheriff said the pay nothing per prisoner, and this was the agreement set out in the 1997 Law Enforcement Sales Tax, which funded the jail's construction. The funding formula is based on population, which was 70 city/30 county in 1997, now is 60/40. Pharmaceuticals are a huge cost for the jail, which the Sheriff called the largest mental health

facility in the state. Stephanie asked about any reimbursements collected from prisoners. Sheriff said there's a \$20 booking fee, doctor visit co-pays. The medical charges keep numbers of frivolous medical calls down. Jail also makes money off of commissary and through collect call telephone charges (\$15,000/month.)

Dirk asked about the number of federal prisoners. Sheriff said 2003 was a terrible year, budget-wise, for the jail. All employees took a voluntary 3-percent pay cut, rather than lay off 20 employees. This alone wasn't enough to solve budget shortfall, so Sheriff instituted the booking fee, medial co-pays and took on more federal prisoners from the US Marshals Services, which reimburses the county \$52/day. Original contract said Greene Co would keep a minimum of 35 federal prisoners. Sheriff boosted that number to up to 100. This helps pay the bills.

The group toured the property room and uniform storage area. Jill commented on the striped uniforms for the road crews. Sheriff said the road crews are difficult to staff any more, because participation makes inmates ineligible for early release. Many potential road worker-inmates are now part of the pre-trial release program, so not enough inmates are available to the road crew.

The group moved on to the shower/de-lousing area and looked at the restraining bed, where violent inmates seeking to harm themselves are strapped down. Stephanie asked how often the bed is used. Sheriff said less than once a week.

Sheriff said the Forest Institute has been a tremendous help to the jail, with classes in anger management, parenting skills, marriage enrichment. Also, faith-based programs are very popular, and more than 1,000 had been baptized. Stephanie asked about the cost of Forest Institute partnership. Sheriff said the contract is for \$30,000/year, which also provides programs for officers and spouses, because divorce rates are very high in corrections. He said officers work 12-house shift, never more than 3 days in a row.

The group went upstairs and looked in on Master Control, where all cameras, doors and gates are controlled. The group also looked at the visitation area- inmates may visit with loved ones only through glass windows.

The group entered D Pod, where 114 inmates were housed in a space designed for 96. Most are housed three to a cell, with one sleeping in a "boat" on the floor. Sheriff said they have to be careful about keeping inmates with personal history separated in the pods. Sheriff demonstrated the wrist-bracelet scanning system, which tracks inmates' whereabouts. Sheriff said TV in the pods is limited to History and Discovery channels, to keep them quiet. He said he once played the Disney channel for a week to punish inmates. The group exited D Pod.

The group entered the commissary, where food, toiletries, clothing and stationary is sold. The biggest seller is Ramen Noodles. The group also toured the chapel, library and classroom areas. Jody Luntsford talked about the "Broken to Beautiful" doll art project for female inmates.

The group toured A Pod where inmates in segregation/disciplinary/protective custody are housed. Trustees are also housed here, and given more freedom than average inmates.

Sheriff said an average length of stay in the jail is 16 days but that includes both book-and-release and long-timers.

The group toured the medical clinic, where Joe Meystrik, RN, described the services offered there. Most common issues are mental health and substance abuse, he said. Diabetic, HIV+/AIDS

patients and some wheelchair-bound inmates are also in the clinic often. They also treat dental complaints, which are frequent due to “meth mouth.” Prescriptions cost \$20-30,000 a month. There are RNs on duty 24 hours and visiting physicians. Stephanie asked about how staff deals with inmates’ substance abuse withdrawal. Joe said Librium protocol treats alcohol withdrawal, which can be life-threatening untreated. Clonidine protocol reduces symptoms for narcotics withdrawal, which is not usually life-threatening. Co-pays are \$5 for a doctor or dentist visit.

The group also visited T-1 and T-2, which are female inmate pods. T-1 is a common dormitory area, inmates are free to walk around and interact. T-2 is more traditional 2-per-cell arrangement. Both are in the “tower” the oldest part of the jail, which used to be the entire old jail.

Sheriff said the jail has 500 beds, but you can’t use them all, because of the various classification of prisoners (for example- males can’t be housed in female pods.)

The tour concluded at about 9:45 a.m.

How many prisoners were booked in 2007? 20,821 – Captain Jeff Coonrod

Of those booked, how many were for felonies and how many for misdemeanors?

Felonies 8103 – Captain Jeff Coonrod

Misdemeanors/Infractions/Municipal 12,632 – Captain Jeff Coonrod

Misdemeanor breakdown – John (JJ) Goulbourne

1416 Bad Checks

1 Tax Case

9,692 Traffic Cases

495 Misd. MIP Cases

11 Misd. Non-Support

How many of the felonies resulted in prosecutions? 3,651 – John (JJ) Goulbourne

How many of the misdemeanors resulted in prosecutions? 2,372 – John (JJ) Goulbourne

How many of those booked were released after 24 hours because the prosecuting attorney did not file formal charges?

7,076 were brought in for PC arrest. 1,704 were held 24 hours or more due to other charges or filing on them within specified time. – Captain Jeff Coonrod

Of those, how many had to be re-arrested later when formal charges were brought?

Could not answer

For those with felony charges who cannot make bail, what is the average length of stay prior to trial? 27.29 days – Captain Jeff Coonrod

What is the longest stay prior to trial? 1,398 days and counting – Captain Jeff Coonrod

For those on ICE holds, since they are not eligible for bond or bail, and they have to wait in jail until their date in court.

If it's a Greene Co. charge or Municipal court, do they wait there or in Christian Co.? Wait in Greene County – Captain Jeff Coonrod

What is the longest stay for those individuals, prior to court date? 14.19 days

Extra information

Number of inmates 1 year or more with no trial – Captain Jeff Coonrod

32 with at least 365 days

2 with 3 years +

1 with 2 years +

29 with 1 year +

Total Offenses 33,134 – Captain Jeff Coonrod

Safety & Justice Roundtable meeting
April 23, 2008, 7:30 a.m.
Springfield-Greene County Office of Emergency Management
833 Boonville Ave., Springfield

AGENDA

1. Call to order

Robert Spence and Jean Twitty, Roundtable co-chairs

2. Self-introductions

3. Review/approve March 19 and April 16 minutes

4. Tour/Overview of Springfield-Greene County Office of Emergency Management

Ryan Nichols, Director of Emergency Management

5. Overview of Greene County Pretrial Services program

Bobby Linton, Director of Pretrial Services

6. Discussion

7. Other business

8. Future meeting dates

a. Next meeting date: May 21, 2008, Greene County Juvenile Office.

b. June, July, August- need to set meeting dates

9. Adjourn

SAFETY AND JUSTICE ROUNDTABLE
Meeting minutes

April 23, 2008
Greene County Office of Emergency Management

MEMBERS PRESENT: Robert Spence, Jean Twitty, Steve Ijames, Ron Baird, John Holstein, Nate Quinn, Jill Elsey-Stoner, Yolanda Lorge, George Templeton, John Crow, Jim Cook, Stephanie Montgomery, Jim Huntsinger, Bernie McCarthy,

MEMBERS ABSENT: Bob Cirtin, Matt O'Reilly, Mark Skrade, Bradley Stokes,

ALSO PRESENT: Ryan Nicholls, Bobby Linton, Jenny Edwards, Mike Brothers, Tim Smith, Collin Quigley

1) PRESENTATION BY RYAN NICHOLS, DIRECTOR OF EMERGENCY MANAGEMENT

Police departments, fire departments and public works departments all respond to things every day on a routine basis. But sometimes a 911 or emergency call results in a bigger situation and multiple agencies come together to respond. That's where Emergency Management comes in — a tornado, ice storm, earthquake, very large fires, chemical spills, etc.

They try to prioritize what needs to be done in a large-scale public safety event. They do not take over. The key word for them is "coordinate." OEM coordinates all the things that various other agencies do from its Emergency Operations Center (EOC).

They activated the EOC to the largest scale ever during Jan. 2007 ice storm. It was a good learning event because it ramped up over 62 hours time. Normally most events happen pretty quickly, like a tornado. They had about 70 people operating in some capacity during the two weeks that followed.

Their role is to bring anyone and everyone who has anything to do with a disaster into the OEC and coordinate all of it: Fire Department, Springfield PD, State Emergency Management Office, National Guard, Public Works, CU, etc.

Example: During the 07 ice storm, CU was inundated with power outages. They are sitting at the "pod" with public works in the OEC. At the same time, fire was having trouble getting to fires because of downed trees on the streets and in yards. They had chain saws on their trucks to cut through it all. PW heard about this and said they had the crews and equipment to clear trees if CU and FD would tell them the routes where they were headed. Using the communication technology at the EOC, they plotted it out and worked together to get it done.

Says they are the "sidebar" to law enforcement agencies. Law enforcement is really in charge during an anthrax terrorist event, for example, but OEM provides the expertise and resources to handle the chemicals and tell the public what it needs to know.

Cites the 911 Commission Report, which said we suffered from a "lack of imagination." OEM is here to imagine what might happen. For example, earthquakes and solar storms – they could happen and OEM has to be ready.

Really they are addressing all particular problems that will occur as a result of possible disasters and situations, not necessarily every disaster itself. SPD is one of the closest and most important agencies they work with. SPD was already in the EOC during the Jan. 2008 tornadoes before they even made the first call to activate.

SEMO refers to Highway Patrol as their “cavalry” as a first line of defense and information gathering; it’s the same with OEM and SPD and GCSD.

OEM has technology to trade information with those in the field in real time. Smart boards, cameras on police cars and traffic intersection cameras (not red-light cameras).

EOC is a “one stop shop” for finding more available resources from state and fed and elsewhere for the people in the field as needed, hopefully in a very short amount of time.

The EOC “playbook” has five sections. One is law enforcement. Others are planning, admin, finance and communications. All of these people are supporting the operations in real time.

Question: what is a solar storm? A: Sun is a nuclear furnace that emits explosions all the time. Over the next few years the cycle of explosions is predicted to be stronger, which means energy from the solar blasts can knock out communication, satellites and possibly even electrical grids on Earth.

Question about revenue. A: Greene County pays operations and housing. City of Springfield picks up the rest. Comes out to about 50-50 split. Annual grants from state total about \$20,000, federal annual grants total about \$100,000. They’re all on different fiscal years. OEM serves City and incorporated Greene. Not really serving other municipalities, but assist them because they are smaller.

Question about staff. A: Six full-time and one part-time, plus two grant employees who do strictly education.

All agencies are on the 800 trunk radio system – all the same frequency locally.

Currently looking some alternative ways to reach citizens in an emergency besides just the emergency sirens. Cites the systems that Drury and Evangel have in place to communicate with faculty and students via text message and e-mail blasts.

2) PRESENTATION BY BOBBY LINTON, DIRECTOR OF PRE-TRIAL SERVICES FOR GREENE COUNTY

As people come in they need to look at each individual case and look at what social programs and aspects apply to them.

They are looking at ties to the community, they gather info from the defendants and verify it. They talk to family, employers, friends, etc.

Also do a nationwide and local criminal background check.

Give a report to the judge to supplement what prosecution and defense are giving him.

Also contains an assessment that looks at risk factors such as: substance abuse history, failure to appear in court history.

Also contains mitigating factors such as conditions for release like abuse programs through Sigma House, which increases their chance of coming to court and doing the right things.

They have two pretrial services officers. Have about 170 people under supervision, most of them they are just maintaining contact with them not under intense supervision, so they will talk once a week on the phone, for example. It's proven out that if they stay in contact they will have a much greater chance of doing the right thing.

Look for two things in pretrial report: Will they show up in court and are they a danger to the community? If they are a danger then different conditions apply. Finds that most people don't flee the area but simply don't show up. They are at home or at a relative's house.

Some problems they run into:

- Missouri system was not built for a pretrial service agency. Time tables not necessarily built for these assessments to take place.
- Public defenders have huge case loads. Takes 17 days from the time the judge hears the report to the time they see the people in court.
- Simply don't have enough people in pre-trial services. Two people in their office, compared to 22,000 booked in GC jail each year. So they only see people who cannot make bail. "We know that if we had additional staff members we could be doing a better job than we are now."

They often do transportation. They will take people directly to Sigma House, which is often the only way they will get started.

They don't have any clerical staff, but sometimes use interns from local universities.

Question about percentage failure to appear 11.4 – where? That's people who don't show up in court. Bogs system down because everyone else shows up and the defendant does not. Is there a national benchmark? A: Some are available, and thinks 11.4 is probably not a high rate in comparison.

Question about who goes to find them if they don't show. A: They go to the file and make calls and try to find them and get them to come.

Should bail bondsmen go get these people? That would be nice but the reality is that not everyone has the money to make bail.

Huge need for increase in staff at Public Defender's office. 17 day wait is because they cannot get to the case until then.

Greene County Commission hires his position. Been doing this for four years, spent 12 years doing it in the federal system. He was called upon to start the system in Greene County and feels they have reached a maximum efficiency.

Q: What are the factors in failure to appear? A: Substance abuse is by far the highest. Past failure to appear and absconding parole are the next on the list.

Q: Always in the office? A: Sometimes they are not there. They are doing home visits and taking to Sigma House. Will probably take four over this Friday and bring four back. Noted that a clerical position is badly needed because these two are doing so much themselves, includes transport. Linton says they also do a “courtesy to the court” in picking up from other agencies as well.

Q: About 40 percent of time the court doesn’t follow their recommendations. A: It is frustrating, but there has been a “culture of bail” here. Thinks it is a must for judges to attend a good program on pretrial release. “The whole thing has to work as a team.”

3) TOUR OF OEM AND EMERGENCY OPERATIONS CENTER

Upstairs there is a media room which includes podium and two TVs behind. Rear of the room has plenty of space for cameras as well as outlets to connect for direct sound from the mic.

Next to that is the “briefing room” where elected officials can be brought up to speed on what’s happening and shown images and information that are about to be shown to the public and media. Place where the game plan is finalized before going out to media.

EOC is located in the basement of the OEM building, which is a 100 year old building that was originally a candy factory. Building has its own electric generators in case of power loss but they have never had to use them.

There’s a control room with more than a dozen displays so someone can just watch and track information from TV, cable and the Web. They can then feed the most pertinent information into the adjacent EOC where reps from all the local agencies are working together.

A radio room has four people working it. They monitor radar and work with NWS and storm spotters to decide whether to and when to “push the button” and turn on the storm sirens.

Many upgrades done here over the last couple of years, and 95 percent of the money for that has come from Homeland Security grants. DHS is big on regionalization, and they have been designated the regional hub for southwest Missouri.

Main room includes many tables that all have phones, Internet access via Ethernet cables and electricity for laptops. Agencies are grouped together according to their roles and duties. TVs and smartboard allow for tracking information in real time with people in the field.

Separate rooms for PIO and a phone bank that takes calls from an emergency line. During first 10 days of Jan. 07 ice storm they had roughly 8,200 call that ran from a woman who wanted comfort food to power going out at a hospital.

Adjourned.

Greene County - Pretrial Services Report Ending December 2007

The purpose of this office is to help relieve jail overcrowding by providing verified background information in unbiased reports with assessments and recommendations regarding release on bond to the judicial officers, and at the same time, providing the supervision of defendant's released by the court, which imposed conditions of release based on the recommendations of Pretrial Services. This supervision helps reasonably assure the safety to the community and appearances in all court hearings. Another aspect of the PTS supervision process gives the judicial officer an indication of the defendant's ability to abide by conditions of release should the defendant successfully complete supervision or not.

IMPACT ON JAIL OVERCROWING IN 2007

The year ending 12/31/07 Pretrial Services completed 580 investigations for the court. This resulted in 61,828 jail days saved. At a cost of \$45/day this computes to \$2,782,260 savings to the county as opposed to a cost of \$1.39/day for the defendant to be out under the supervision of Pretrial Services. If you look at the jail days saved without putting a dollar amount on it; 61,828 jail days saved divided by 365 days is 169.39 beds per day added to the Greene County jail. As of this writing today's jail population is 533; if you add 169.39 to today's **jail population would be 702.39**. Once again these are documented cases that were unable to make a money bond.

During 2007, we completed a 90 day trial of the risk assessment. We interviewed approximately 100 more defendants in that 90 day period than we had done during that same time frame in 2006. However, it was determined that this was not an effective use of Pretrial Services resources. 39% of those in the risk assessment that scored for release were released as compared to 71% of those that scored for release in the subjective form. We are attaching a copy of that report for more in depth look as to the results of that.

PERSONNEL

Pretrial Services has functioned with one Pretrial Services officer and a Pretrial Services coordinator. Several MSU interns were used in 2007. The courts have provided volunteer clerical help. Lee Purcell has taken on this extra duty while keeping up her own work assignments. She has done this without hesitation and provided quality workmanship and attention to detail. Ron Prater continues to do the work of a Pretrial Services officer as well as taking care of the data base collection system he built. In 2006 the Risk Assessment portion of the database system for Pretrial Services was developed and utilized in 2007. Ron has done an outstanding job completing his duties and has fully functioned as a PTS officer. As a result he was promoted to a pretrial Officer effective 1/7/08.

JAIL

Jail employees have been completely cooperative in allowing Pretrial Services access to defendants for interviews. Communication with the jail staff in the booking area has greatly improved as far as Pretrial Services' access. This was aided by the creation of a court liaison position.

SHERIFF'S OFFICE

The Sheriff's Office has been completely cooperative with Pretrial Services. We want to add that the Sheriff's Office has recently negotiated a contract for GPS monitoring that was much cheaper than the contract that Pretrial Services was using. We are now utilizing this contract. The Sheriff's Office and Pretrial Services are working together on further utilizing this contract with low-level defendants in the future.

PUBLIC DEFENDER'S OFFICE

The Public Defender's Office has seen a significant increase in the number of defendants released on bond allowing them access to their attorneys. We have primarily been interviewing indigent defendants and, therefore, the defender's office has seen the greatest benefit. Due to public defenders' caseloads, Pretrial Services reports are e-mailed to the public defenders the day they are completed and due to heavy caseloads, they do not always get these before the court for bond reduction in a timely manner.

PROSECUTOR'S OFFICE

The Prosecutor's Office has been cooperative in providing their files to Pretrial Services so information regarding the offenses can be included in the reports.

GREENE COUNTY – PRETRIAL SERVICES

End of year stats for data from 6/1/04 to 12/31/07

Total defendants supervised	631
Total failures to appear	72
Percent of FTA	11.4

Total PTS referrals	1431
Total defendants detained	573
Percent of defendants detained	40.04

Total reports recommending release (ROR)	609
Total defendants not released w/ recommendation of ROR	232
Percent of defendants not released w/ recommendation of release	38.09

**Safety & Justice Roundtable meeting
May 21, 2008, 7:30 a.m.
Greene County Judicial Courts Facility
1010 Boonville Ave, Springfield**

AGENDA

1. Call to order

Robert Spence and Jean Twitty, Roundtable co-chairs

2. Walking tour of Judicial Courts Facility

Judge Mark Powell, 31st Circuit, Div. 24

Tim Smith, Greene County Administrator

3. Review/approve April 23 minutes (Sheriff's Training Room, same address)

4. Facility expansion proposal-- Powerpoint presentation

Tim Smith, Greene County Administrator

Tim Rosenbury, Butler Rosenbury & Partners

5. Walking tour/overview of Greene County Juvenile Justice Center, 1111 N. Robberson

Perry Epperly, Chief Juvenile Officer

6. Discussion

7. Other business

8. Adjourn

SAFETY AND JUSTICE ROUNDTABLE
Meeting minutes

May 21, 2008

Greene County Judicial Courts Facility
Greene County Juvenile Justice Facility

MEMBERS PRESENT: Bernie McCarthy, Jim Cook, Matt O'Reilly, George Templeton, Mark Skrade, Nate Quinn, John Holstein, Robert Spence, Jill Elsey-Stoner, Yolanda Lorge, John Crow, Stephanie Montgomery, Steve Ijames

MEMBERS ABSENT: Jean Twitty, Ron Baird, Jim Huntsinger, Bob Cirtin, Bradley Stokes

ALSO PRESENT: Jenny Fillmer Edwards, Mike Brothers, Tim Smith, Judge Mark Powell, Deshane Reed, Shawn Billings, Kyle O'Dell, Perry Epperly, Jill Randolph, Anne Schultz, Marie Swope, Susan Cox, Dirk Vanderhart, Dave Dunn

1) Tour of the Judicial Courts Facility with Judge Mark Powell

First floor of the facility at 1010 Boonville Avenue contains entrance with security measures, Greene County Sheriff's Office on one side, three family courtrooms on the other side.

Things can get emotional and volatile in family court. The rooms are functional but small. One of the courtrooms contains space for the bench, two tables for the parties, and seating for only about a dozen people. Often times family will spill out into the hallway and families of each side will be mixing out there with little supervision. There is a recording system in place and so there are no court reporters in these rooms. The number of bailiffs is a concern; there aren't enough.

There is a child support enforcement office on the first floor that they are hoping to turn into a fourth courtroom space.

The second floor contains the Circuit Clerk's Office and the Greene County Prosecutor's Office. Greene County was the last county in Missouri to move to a new statewide judicial computer system called JIS. The switch to new software has caused a lot of turnover in the Clerk's office. Steve Helms is the new Clerk and he has implemented a lot of good changes and is moving the office in a positive direction, Powell says.

There was a workload study conducted which concluded that the Clerk's office is 23 people short. Powell does not believe they need 23 more, but says there is certainly a need for more employees here. The state funds this office. Last year the county requested several new FTEs — full time equivalents — and were granted zero by the state.

The third floor of the facility contains courtrooms for the Circuit Court and the Associate Circuit Court. Powell's courtroom is here. These rooms are larger. They contain room for the bench and two tables for the parties, as well as more seating space and a jury box.

Powell says he sees between 90 and 125 cases a day, and currently has more than 4,000 active cases on his docket. He handles collections and civil cases and assists with family cases when needed.

Judge Brown's room is smaller and when you have 125 cases a day it becomes "a security nightmare and a madhouse," Powell says.

They would like to get two new judges, who are badly needed, but currently there is no place to put them in this building. The building was designed so that a fourth floor could be added. However, to do this the work would have to be done on nights and weekends because the noise would be too much of a distraction during court hours. There are also likely issues with building codes, which have been updated since the facility was built. Specifically, the entire building would have to have sprinklers installed, which is very expensive.

There is a secure hallway around the perimeter of the building on the third floor for judges and staff to access courtrooms and offices.

2) PowerPoint presentation by Tim Rosenbury of Butler, Rosenbury & Partners

BR&P has conducted a study and created a building plan for the judicial facilities. They are looking several years ahead and seeing a great need for square feet.

An archives building would be the first project. Current facility is cramped and leaks. \$2 million estimated cost.

A new juvenile building would be built between the current one and the main judicial building. It would connect to the judicial facility. Has a courtyard and several family courtrooms. \$9.25 million estimated cost.

Public Safety Collaboration Center would combine E-911 and Office of Emergency Management operations in a single place. These two groups currently need more space and often work closely with one another. Other potential partners in the building include CU emergency dispatch, Springfield Fire Department Administration and Greene County Sheriff's Dept. Would be located at Central and Boonville Avenue. \$20.7 million estimated cost, which includes special structural "hardening" to make building bomb/earthquake/storm proof.

Funding sources would include Greene County funds currently appropriated for debt retirement on the Judicial Courts Facility and 800 MHz Trunk radio system, amounting \$1.1-1.3 million per year. This debt will be fully retired in 2013. Other possible funds include Greene Co. General Revenue, Law Enforcement Sales Tax, 911 Sales Tax, FEMA (via SEMA) for the EOC and payments from other tenants who might occupy the buildings.

They are looking at various funding formulas during the summer and hope to have identified them by Labor Day.

3) Juvenile Justice System overview by Chief Juvenile Officer Perry Epperly

Family court is divided into two parts: domestic relations, which deals with divorces, and the juvenile division. The juvenile division deals with two kinds of issues: the conduct of the child (delinquency) and the conduct of the caretaker (abuse and neglect).

In 2007 the JJ system saw about 2,300 referrals for delinquency for kids 16 and under. Some were repeat offenders and so they saw about 1,900 different youth last year.

When it comes to conduct of the caretaker, there are currently 812 youth under court supervision. There are eight officers who manage all of these cases.

A new juvenile drug court has been implemented this year.

There is a detention facility there. This facility is currently not overpopulated because they simply do not keep that many youth in the facility itself — JJ is moving from a punishment system to a recovery system, and fewer juveniles are housed in detention because of alternative programs and sentencing.

The family court system sees about 6,000 cases per year. Eight percent of those are abuse and neglect cases. There are no fewer than 25 to 30 per day. The number of intakes is rising. They are adding 10 to 15 cases a week in the JJ system.

4) Tour of the Juvenile Justice facility

Facility was built in 1991. They have largely outgrown the building.

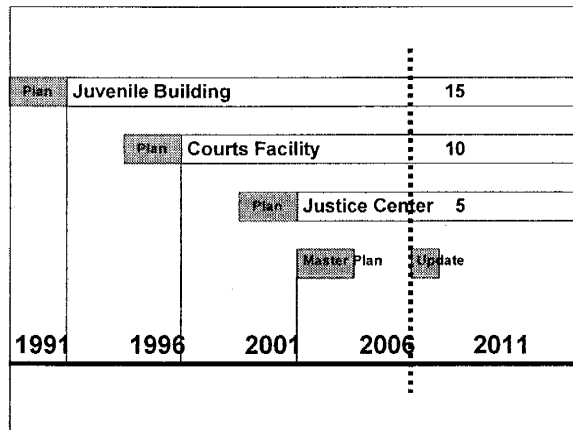
There's a home for adolescent males who cannot, for various reasons, return home after a delinquency charge. It's in the former Mary E. Wilson Home on Main Avenue near Nichols: the Challenge Treatment Center. There is also an evening reporting center at that facility. Youth will report there every evening between set hours. They often find this to be a better alternative than staying at the JJ detention center 24 hours a day when given the choice.

Family Court Judge Bob Lawson spoke with the group in the Juvenile Office's tiny and only courtroom, and reiterated what Judge Powell had said about small courtrooms creating cramped and volatile atmospheres for emotional family court issues. The courtroom was not large enough to contain the Safety & Justice Roundtable members.

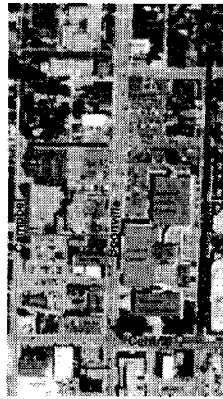
The secure detention center in the Juvenile Justice Facility is a 24/7/365 operation. Both boys and girls. Everyone has their own room. The rooms are basic with little more than a cot, and residents must keep everything neat. The rest of the detention facility has an outdoor courtyard, a classroom staffed by Springfield R-12, a lounge and many bookshelves. There is space for 24 juveniles, but average population is less than half that, due to alternative sentencing for minor offenders. Keeping the minor offenders, like shoplifters, from associating with the more serious and possible violent offenders housed in detention reduces their probability of reoffence.

Greene County Master Plan Analysis of Critical Capital Needs for Criminal Justice System

Prepared by
Butler, Rosenbury & Partners, Inc.
August 18, 2006



County Campus Justice Facilities



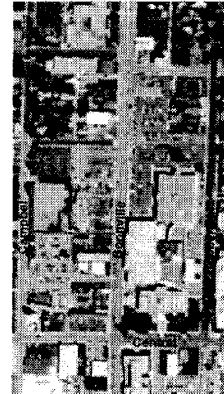
Master Plan Update Goals

- Determine Immediate Space Needs -- 5 Years
- Calculate Project Cost
- Focus on Criminal Justice System
- Manage Public Access and Security
- Plan for Future Growth

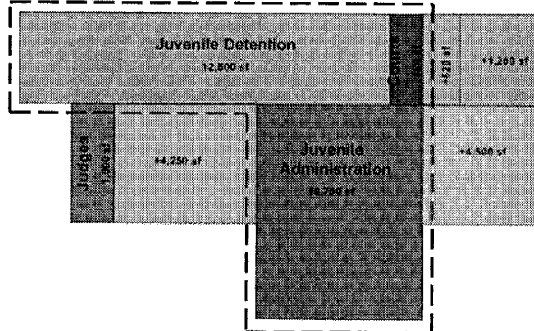
Space Needs Methodology

- Office holders and department heads determined current and future staff needs.
- For calculating building size, 250 s.f. per employee was used as a guide for offices. Specialized spaces were added separately.
- 20% of subtotal added for building elements.

Juvenile Building

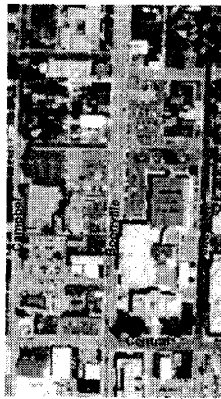


Juvenile Building 6 Year Projection

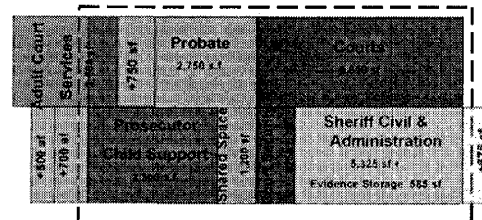


Off-Site Programs Common Ground Challenge Treatment Center

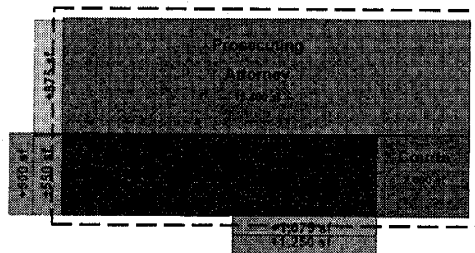
Courts Facility



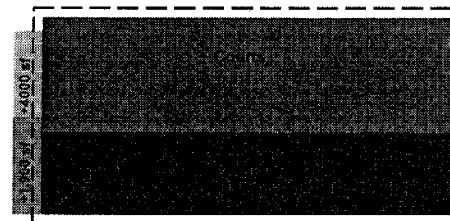
Courts - First Floor 6 Year Projection



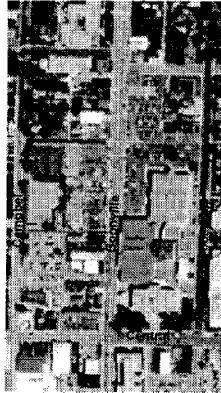
Courts - Second Floor 6 Year Projection



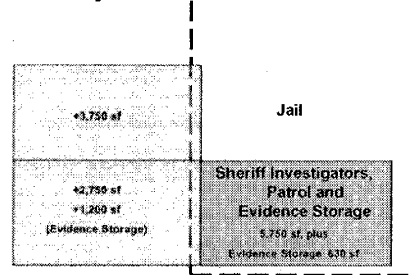
Courts - Third Floor 6 Year Projection



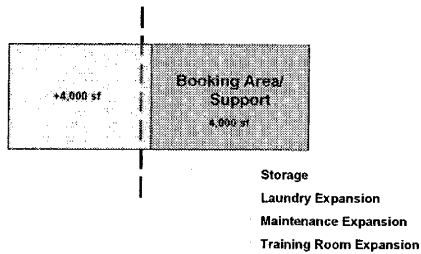
Justice Center



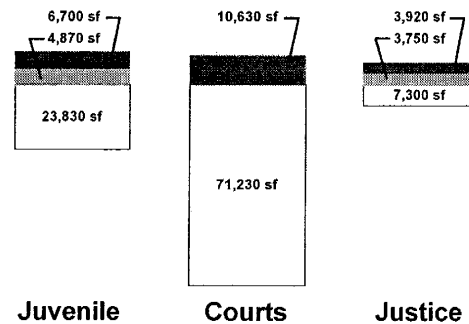
Justice Center - Sheriff Current Projection



Justice Center - Jail Current Need



Summary of Needs by sf



Kalmanoff Study

- 12-month assessment of Greene County's Criminal Justice System, completed in May, 2003
- Conducted by the Institute for Law and Policy Planning
- Numerous recommendations across the entire system
- Affirmed recommendations in September, 2005 follow-up report

Kalmanoff Study page 69

"Based on demographics alone, there should be no appreciable change in the jail population."

Projected Average Daily Population

- 2010: 494
- 2025: 477

Kalmanoff Study page 69

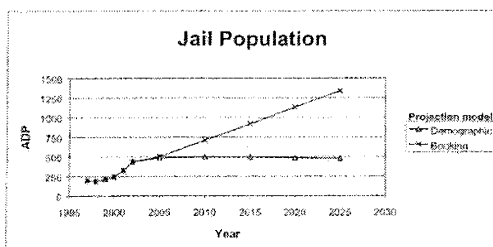
"However, the number of bookings into the Detention Facility grew rapidly from 1997 to 2002. . . . If the same rate of growth continued unabated for the next 23 years, the projected bookings would increase dramatically."

Kalmanoff Study page 70

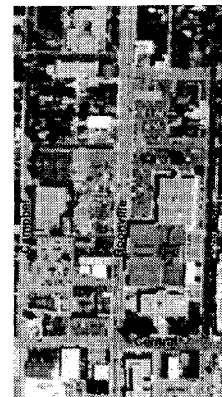
"The dramatic increase in bookings is probably due to two non-recurring factors: the increased number of patrol officers (both city and county) after the passage of the Law Enforcement Sales Tax in 1977, and the increased availability of beds with the opening of the new jail."

Kalmanoff Study page 70

Figure 8.8: Comparison of Jail Population Projections, Demographic and Booking



Jail Options
Building Addition
Low Risk Detention
Facility
First WHAT, then
HOW



5-Year Needs

- **Total 5-Year Need: 35,273 sf**
(Floor areas include a 20% gross factor)
 - Juvenile: additional 13,884 sf
 - Judicial Courts: additional 12,185 sf
 - Sheriff's Office: additional 9,204 sf
- Potential additional Jail beds
- Potential locations for Common Ground and Challenge Treatment Center

Recommendation by Priority

- Renovate and expand the Juvenile Center (\$2.8 million)
- Study and resolve Jail beds Issue
- Begin planning process for Judicial Courts and Sheriff's Office; consider interim locations for some Sheriff functions (\$400,000)
- Study locations for Common Ground and Challenge Treatment Center

**Safety & Justice Roundtable meeting
June 18, 2008, 7:30 a.m.
Greene County Judicial Courts Facility- Prosecutor's Office
1010 N. Boonville Ave., Springfield, MO**

AGENDA

1. Call to order

Robert Spence and Jean Twitty, Roundtable co-chairs

2. Overview of the Missouri State Public Defender, District 31

Rod Hackathorn, District Defender, District 31

3. Overview of Greene County Prosecutor's Office

Darrell Moore, Greene County Prosecuting Attorney

4. Discussion

5. July 16 SJR meeting location/agenda

6. Other business

7. Adjourn

**Safety And Justice Roundtable
June 18, 2008
Greene County Judicial Courts Facility
Prosecutor's Office Conference Room**

Minutes:

MEMBERS PRESENT: Gerry Pool, Mark Skrade, Steve Ijames, John Crow, Brad Stokes, Jean Twitty, Ron Baird, Bob Cirtin, Nate Quinn, George Templeton, Yolanda Lorge, Stephanie Montgomery, Jill Elsey-Stoner, Robert Spence (had to leave early.)

MEMBERS ABSENT: Jim Cook, John Holstein, Bernie McCarthy, Matt O'Reilly

ALSO PRESENT: Rod Hackathorn, Public Defender; Darrell Moore, Todd Meyers, Greene Co. PA office, Dirk Vanderhart, News-Leader, Sara Sheffield, KY3; Jenny Fillmer Edwards, Greene Co. PIO; Tim Smith, Greene Co. Administrator; Mike Brothers, City PIO; Steve Helms, Greene Co. Circuit Clerk.

1) Presentation by Ron Hackathorn – Public Defender's Office

Office has 19 attorneys, 14 secretaries, and 9 investigators. Office has grown at a tremendous rate over the last 10 years; he started in 97 with 7 attorneys.

The area is growing rapidly. This office is not only handling Greene County but handling criminal cases in Christian and Taney county when those cases qualify. Also some in Stone, Dallas, Dade, Webster and Polk counties.

"Currently, attorneys have about 150 cases open at a time, which is more than any one attorney should be asked to handle at any one time."

5,339 cases this fiscal year, which is actually a bit less than last FY. Still far too many cases for the number of attorneys. Four years ago in 2004 they had 1,000 less cases, and in 2000 they had about 2,500 cases.

"The issue we're running into is our budget is never increasing. We haven't had a single budget increase in seven or eight years at least."

Budget dictated by the state. Some support in Jefferson City for increasing it, but not enough. Even if the budget were increased, another road block is that the governor dictates how many employees each state agency can have. The only reason they have new employees is because the state has shuffled people here from other places with less need.

"This is the kind of situation I've seen in the past that drives attorneys out of our office."

Turnover in such an office is usually about 25 percent. Greene County is fortunate to have dedicated people, but when it gets tough people leave, which puts more work and more burnout on those who stay, creating a snowball effect.

They closed 5,190 cases for the year. Last year of 5,557 total cases, 5,483 were closed. So there is a kind of snowball effect that carries over from year to year.

Judges generally refer clients to them, however people can show up and ask for representation and by statute they fill out an application and they usually will represent them. On average, this office handles 75 to 80 percent of the criminal case load.

Greene County cases totaled 3,360 this year. Last year the number was 3,732; and there were 3,774 in 2006.

Christian and Taney are exploding for them right now, and there's a new jail in Taney county coming online.

Two attorneys assigned fulltime to each Christian and Taney, but this month he is switching that to THREE IN EACH? This will leave 13 attorneys to handle all the Greene County cases.

A new administrative rule sets a caseload standard they call the Ashcroft standard, which is about 250 cases per attorney per year "which we far exceed," and after they would have to start refusing cases.

"You can't ethically represent the number of people we are asked to represent. I don't know if you can offer each client the correct type of representation they deserve when you have that number of cases."

Question: At what point do you reach the conclusion that there's been inadequate defense despite the best effort? Do people who think this has happened to them further clog system with appeals?
Answer: Everyone has post conviction rights and that conclusion is one thing they can assert. He doesn't believe caseload on its own would bring the case back, the courts look generally at specifics of each case.

Q: how much support are you getting from the Missouri Bar Association in terms of trying to educate people in Jeff City?

A: "I believe the bar has seen it could end up that way and are none too enthused" about taking on cases of the indigent as they once did before the current public defender structure. Some private sector attorneys will take a few pro bono cases such as minor traffic offenses to help ease the load. However, only a small percentage of their clients have JUST a minor traffic offense.

Ron Baird – "The public defender's office is in crisis" and the Missouri Bar is very aware and interested in this issue.

Q: Presently no other attorneys except from this office are required to represent the indigent?

A: That's correct.

Q: Is the Missouri Association of Trial Attorneys lobbying for this cause?

A: yes

Q: What branch of the state government does this fall under?

A: thinks executive branch

Q: Number of districts?

A: There are 30-some offices, but also there are appellate offices and some in Jefferson City.

Q: What is the average amount of experience in their office?

A: Probably about four years and they are fortunate in that regard.

Q: Budget increases recently?

A: Asked for \$10 million statewide but got about \$1 million, some of that was spent to send about 100 cases out to private attorneys, which barely made a dent.

Q: How many cases are the result of drug and alcohol offenses?

A: If not more, probably at least 50 percent. "It's very high."

Q: What are the qualifications for defense?

A: It's very low as far as income qualifications, and it's the same guidelines across the board. Dependents are taken into account. Even with it being this low they still have a vast majority that do qualify for services and there are a pretty significant number they turn away which a then judge overrules. They are then obligated to represent.

Q: Any instance when a public defender shows up and tells the judge they simply cannot try a case?

A: For misdemeanors it happens, but for felonies generally not. They are aware of the order in which a judge intends to try cases.

Q: How many can't make bail while waiting for services?

A: Not as much as there used to be thanks to the Pre-trial Services Office they've set up. "It's helped, but there's still a significant number in there who just wait."

Q: Abuse of the system?

A: It's interesting to see how there are certain judges who will hold feet to the fire. Much of the time they come up with the money and get out and hire a private attorney. So there are a certain number of people who use and abuse the rights granted to them.

Q: How long does it take to assign a lawyer when they are incarcerated?

A: Due to support staff being so few, it takes a while to get a case opened but they have tried to streamline the lag time as much as possible, right now they are at about two weeks from referral to assignment.

Q: Given current staffing and caseload levels, do you think these attorneys provide adequate service to clients?

A: Adequate, yes; do everything an attorney would want to do, no. There are simply not enough hours in the day to do everything that needs to get done.

"It's a little bit like triage. Those facing the most serious charges are the ones that get the best service." The ones who suffer are the more minor charges and who are likely getting probation anyway.

Q: If a person is told to plead guilty and is an immigrant, they will never get citizenship. Do the attorneys do this to speed up the process?

A: I would none of our attorneys are coercing people. "That shouldn't occur."

Q: What categories and classes of cases are growing with population? What are the drivers behind that if so?

A: wouldn't say its due to one type of crime, it's really just an increase in population and increase of all types of crimes.

Q: Attorneys hired for Taney County live here and drive to Taney?

A: Yes, and that mileage expense is big and goes into the red each year.

Q: Through what process does the governor control the FTEs?

A: He has capped all FTEs. Not sure about the process itself.

Q: Could this turn into a constitutional issue? And who would pay for that politically?

A: It's a state issue so he believes it would ultimately come down on the state and the executive branch. "Something will come to a head. It can't continue on this way."

Q: Do you track the number of appeals?

A: A separate office does that in Jefferson City and he's not sure if they have seen such an increase or not.

Hackathorn adds that the alternative sentencing program was scrapped in 2007 so they could use the money for more attorneys, and that's a detriment because the judges really appreciated those reports about the clients' backgrounds. It really helped provide a great background for them use during the process.

Office located at 630 N. Robberson. Invited members to come by anytime for tours or for further information.

2) Presentation by Darrell Moore – Greene County Prosecuting Attorney

The core function of his office is criminal prosecution of felonies and misdemeanors: murder and rape down to traffic and conservation violations. They not only try the case but represent the office on appeal.

In last five years they have argued three cases in Missouri state Supreme Court, where statutes' constitutionality was challenged. They were affirmed in all cases.

Judges are more stringent now on appeal with the rules and details.

Also handle child support cases, bond hearings, right to speak at sentencing and Post-conviction motions.

Often ended up trying a case against one attorney and then representing the same defense lawyer later — including Dee Wampler in one case. They usually attack the attorney in those cases, not the validity of the charge. He's dealing with one from 1988. "It's a nuisance factor that's growing." Dealing with more pro say cases these days as well.

The office also does zoning and planning violations, school attendance, bad checks, issue investigative subpoenas, violations given to them from the Missouri Ethics Commission, fire codes, public nuisances, untaxed cigarettes, mandated reporter violations, environmental crimes including manure overflow, odometer fraud, prevailing wage violations, extraditions both nationally and internationally, and much more.

Their current budget is \$4.387 million. The department includes 75 employees other than the prosecutor. This includes 29 full-time assistant prosecuting attorneys, one part-time PA, 37 clerical/support staff, seven investigators and one paralegal.

They do not spend all the funds they are allocated, unlike some other government agencies.

They have one person who was hired via a federal grant who spends time at the U.S. courthouse and allows them flexibility to refer cases over there when a stiffer sentence is needed under federal law.

Should have 24 assistant PAs in the criminal division rather than 22, they are making due and he has told the commission they can do so as they see how the new paperless filint system is working.

Had to cut criminal PAs from 22 to 17 and told the City they had to take back most of the misdemeanors that occur within the City limits and send them to municipal court. Last year sent about 1,000 such cases were sent back.

“If we had to undergo more budget cuts this year I’m not sure where else we could cut other than doing like the feds do and telling people we simply can’t prosecute the case.”

It used to be people would come to the PA office for two years to get trail experience and then they were gone. They can’t afford that anymore, it takes two years just to get them trained now, because the laws are much more complicated, especially with the DNA evidence and such today. He will not seriously entertain any resumes that don’t show some prosecution experience in clinics or as an intern. He wants to hire people who want to be career prosecutors and are willing to make some financial concessions to do that.

Judges like to move things along and it keeps a lot of assistant PAs busy moving cases along at court. On average they have about five people tied up in circuit court Monday through Thursday.

On average at least 21 of 22 criminal attorneys are occupied, that leaves just one person working ahead on things like jury trials, etc. That doesn’t count sick leave and vacations. Often have to force people to take vacations because the attorneys fear their work will pile up when they are gone. Everyone told to have a coat and jacket at the office in case they have to be thrown into court because you cannot keep a judge waiting and hold up the court.

Steve Ijames: depositions really wear the detectives down, all the officers are being deposed on anything even close to major cases.

Kalmanoff Report update:

Filing improvements done. Someone is on call 24/7 for the charging unit.

Drug cases have taken a long time because of the crime lab issue, and now hopefully that will change. Drug court cases have helped move it along.

Since 1992 they have allowed defense to have discovery of files. The Public Defenders Office has stopped doing this in the last two years; he believes at least some of them are doing it intentionally to gum up the system.

Adopted a criminal screening and charging policy manual to create and establish consistency. It’s a working manual for the job.

Have had a bad check diversion system since 1995 to prevent some filing and just force people to pay instead.

Restorative justice program started this year, will try to revert most of their misdemeanor cases to this program (included article describes the merits of the program). "This is going to be the trend of the future, I think."

DWI court in 2003 was recognized as one of the top four such programs in the U.S.

Mothers Choosing Change in 2006 – mothers with dependency issues and have a substance abuse problem that needs to be solved before they have more babies.

CASE management:

JIS system is not efficient in some ways. \$200,000 grant will allow them to install a new case management system in October, will scan everything attached to a case instantly. JIS doesn't allow them to file electronically for some reason and is a few years off.

Liasons with law enforcement:

They have one paralegal. Doesn't have the manpower to devote to that full time.

Overall, his responsibility is to drive justice. He keeps the team focused. They have a group of seven employees looking at self-care to prevent burnout. They have great support staff. Have to be competitive in compensation.

Recognition is big in maintaining morale. They have employees of the month and year. Cindy Rushefsky was recognized as one of the top 10 in the state and was the first person to retire from this office in June 2006.

Steve Ijames: Says the SPD never had an adversarial relationship with the GCPA office, the diversion programs never got in the way of justice.

Question: How many cases related to alcohol and drug charges?

Answer: At least three quarters or more. Alcohol is the primary substance being abused. "If you took away the alcohol and substance abuse issue we wouldn't need 22 prosecutors in the criminal division."

Q: Are juries making more requests for forensics today?

A: Fortunate that he doesn't have to pay for it and when the crime lab comes online it won't take months to get it. The burden of proof is on them.

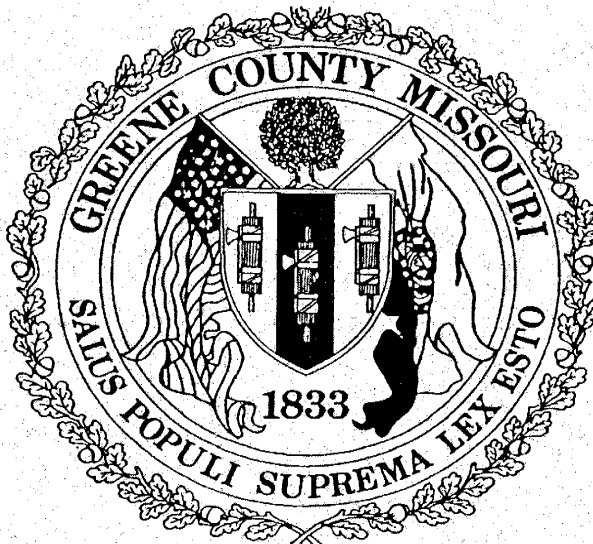
Q: About major needs aside from budgetary issues.

A: Office is not in a crisis mode, could be better always but is satisfied with what's happening now. He feels Juvenile and Sheriff's department need more help than he does and is really waiting to see how the new filing system works for them. His concern is the long-term financial health. How do they keep the salaries competitive if they don't identify some other kind of revenue source?

Q: How many of the attorneys are committed to careers there?

A: Thinks about three quarters, the other fourth come and go.

Office of the Prosecuting Attorney Greene County, Missouri



Because Justice Matters

**We Are Not The Government
We Are The People of The Prosecuting Attorney's Office
Serving You By Seeking Justice**

**Presentation to the Safety & Justice Roundtable Committee
June 18, 2008**

**Darrell L. Moore, Prosecuting Attorney
1010 Boonville Avenue
Springfield, MO 65802-3804
417.868.4061
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2008 GREENE COUNTY PROSECUTING ATTORNEY FACT SHEET

Budget : \$ 4,387,870

Employees: 75 (other than the prosecutor):

29 full time Assistant Prosecuting Attorneys
1 part time assistant prosecuting attorney
37 Clerical/Support Staff
7 Investigators
1 paralegal

Budget Breakdown-Sources of Revenue: (Pays for these positions/supplies/etc)

County General Revenues: \$ 3,476,211¹(21 APAs; 1 part time APA; 35 clerical;
6 investigators; 1 paralegal; the Prosecutor)
Law Enforcement Sales Tax: 378,900 (5 APAs; 2 secretaries)
Bad check fees (from debts): 221,359 (2 APAs; 1 investigator; training, supplies, interns)
Training fund (from court costs): 5,400
Federal PSN Gun Grant: 71,550 (1 APA- 100% funded by this grant)
Misc. fund (collect unpaid taxes): 26,000 (training, equipment, supplies, trial expense)

Revenue for computer/capital improvements

Criminal Division: 5,700 (2 replacement laptops for PA, CAPA; 2 new desk
computers for new employees)
Criminal Division: 1,500 (new/replace office furniture-desk chairs)
Child Support-IVD 1,250 (new office furniture)
Special Projects- Grant 200,000 (data integration, scanning project)

2007 Caseload

Felonies filed: 3,651 (13% decrease under 2006)(151% increase over 1998)
Misdemeanors filed: 2,372 (20% decrease under 2006)(52% decrease under 2003)
Bad check charges: 1,416 (complaints received= 8,110; restitution collected= \$ 570,536)
Traffic charges: 11,206
Conservation charges: 72

Non-support:

-referrals handled: 1,189
-UIFSA: 36
-Contempts: 626
-Paternities: 119
-Felony child support: 54
-Misdemeanors c/s: 11
-Other matters: 48

¹ 100% of child support budget [\$ 1,128,360] is reimbursed by the state.

ANNUAL REPORT WITH HISTORICAL STATISTICS

Periods Cover December 1, 1984 through November 30, 1985

Felonies

	<u>1985</u>	<u>1984</u>	<u>1983</u>	<u>1982</u>
Charges Filed	1,052	1,103	1,059	818
Indictment Charges Returned	77	142	0	0
Preliminary Hearings Held	202	246	293	279
Bound Over Circuit Court	406	413	382	356
Guilty Findings/Pleas	387	441	382	345
Sentences	434	459	335	384
Fugitive Warrants Filed	27	50	34	0
27.26 Motions Filed	29	29	16	0

Misdemeanors

Misdemeanor Cases Filed (exclusive of checks, traffic and non-support)	541	469	523	363
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Checks

Complaints Handled	5,387	3,999	3,708	3,530
Charges Filed	674	462	237	239
Restitution Made	\$199,281	\$270,758	\$190,801	\$184,619

Taxes

Complaints Handled				
Civil	601	324	74	68
Criminal	1	2	0	0
Charges Filed				
Civil	0	34	22	27
Criminal	3	16	0	0
Restitution Made	\$94,374	\$74,139	\$10,860	\$13,618

Traffic

Charges Filed	17,144	15,020	11,929	10,705
Charges Processed for Future Filing	468	559	448	298
Conservation Charges Filed	151	155	190	280

Non-Support

Complaints & Referrals	179	162	145	0
Reciproicals	111	107	113	118
URESAs	109	115	97	105
Other	137	196	126	247
Garnishments*	73	68	90	0
Wage Assignments*	28	22	30	0
Motions to Intervene*	7	6	0	0

*These actions filed in connection
with other pending cases.

GREENE COUNTY PROSECUTING ATTORNEY



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Springfield MO 65802-3804
www.greenecountymo.org/web/PA

DARRELL L. MOORE
PROSECUTING ATTORNEY



MEMORANDUM

MAIN OFFICE
417) 868-4061
Fax 868-4160

ICTIM/WITNESS
417) 868-4082

TRAFFIC
417) 868-4123
Fax 829-6177

CHECKS/TAXES
417) 868-4034

CHILD SUPPORT
417) 868-4126
Fax 868-4167

TO: Supervisors, Staff
FROM: Darrell Moore *DM*
DATE: June 16, 2008
SUBJECT: APA Personnel Assignment Demands.

Criminal Division: 22 positions

1. March-May, September-December 2008

(a). Typical day- 10 in Associate Division, 5 in Circuit, 3 in depositions, 1 on military leave, and 2 filing prosecutors. Thus, 21 positions each day engaged in court, depositions, reviewing charges, or military leave. Leaves 1 APA to prepare jury trials or major preliminary hearings, assist law enforcement [e.g., search warrants, go to CIS on Tuesday afternoons], work with other organizations requiring input [e.g., Zoning & Planning; R-12 truancy officers] return calls, answer letters/emails, schedule appointments to meet with victims, witness, citizens, etc.*

(b). On nights/weekends: 1 APA always on call.

*Does not factor in APAs on vacation, sick leave, family medical leave, or training.

2. Summer 2008- some relief with 3 Rule 13 interns and the part-time APA.

Child Support Division: 6 positions

Prosecutor among those who did right

In sharp contrast to the inaction of other officials, the one person who courageously did the right thing for the right reason in 1906 was the prosecuting attorney. The official grand jury report found, among other things: Fred Coker and Horace B. Duncan (the two accused of rape) were innocent of any crime; the police department was negligent in meeting its responsibilities; and the entire population of Springfield had to share in the blame of what had happened.

Roscoe C. Patterson was a native Springfieldian and the Greene County Prosecuting Attorney in 1906.

During the lynching, Patterson was on the square imploring police officers present to prevent the lynching instead of just watching. He



Darrell
MOORE

was ignored. On the Monday immediately after the weekend lynchings, Patterson and Judge William Lincoln convened a grand jury to investigate the matter. Patterson presented witnesses to the grand jury from April 17 through May 23, 1906. Also, during the first week after the lynchings, Patterson filed first degree murder charges on nine men. On May 23, 1906, these charges

were replaced by grand jury indictments: 21 charges of first degree murder and one charge of perjury.

Patterson took the first defendant to trial in August 1906, in spite of uncooperative witnesses and other obstacles. After 24 hours of deliberation and 20 ballots, a mistrial was declared when the jury advised the court it was deadlocked 10-2 for acquittal. Patterson was replaced as prosecutor in 1907. His successor dismissed all the indictments by Christmas Eve 1909.

What happened to Patterson? He was 7th District congressman, 1921-23; U.S. attorney for the Western District of Missouri, 1925-29; and U.S. senator, 1929-34 (losing in 1934 to Harry Truman). Patterson died in Springfield in 1954 and is buried in Maple Park Cemetery.

What is the importance of Patterson's actions to us today, and why do his actions inspire me? The prophets Amos, Micah, and Habakkuk declared that God directed his wrath against Israel and Judah for two primary reasons: those in positions of authority had led their people to worship other gods and had abused their power by promoting injustice instead of seeing that justice was done for all

It is made abundantly clear that the first way to please God and honor him is to see "that justice is done." Thus, I take my responsibilities as prosecutor very seriously not only because I have taken an oath to uphold our federal and state constitutions and the law, but primarily because I believe the ultimate judge and source of all justice has placed stewardship of the prosecutor's office in my hands and that I will be held accountable by Him.

The prosecutor's office is the key focal point for justice in this community. It is the responsibility of this office to see that the criminal laws are enforced properly so that no one is below the protection of the law and no one is above the sanction of the law.

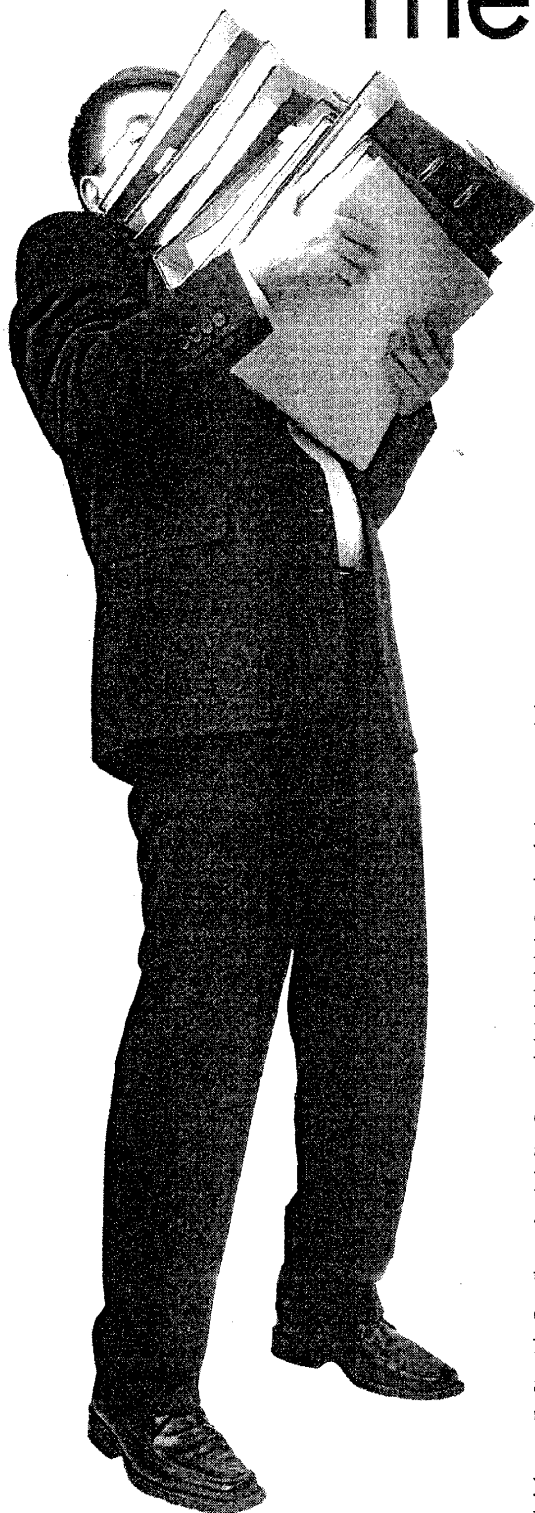
Patterson understood this responsibility. He knew that he had a duty to seek justice, even if it meant going against popular opinion. He tried to stop the lynching. He then sought justice for the victims and for the community in prosecuting those who took the law into their own hands and thought they were above the law. He knew that the purpose of the office to seek justice was more important to the long term well-being of this community than him or his career.

Darrell Moore is Greene County prosecutor.

The Prosecution

NEVER

Rests



Being a prosecutor means more than just being an accomplished criminal law practitioner. Increasingly, the job requires the skills of a trained financial analyst, the ability to juggle multiple matters at once, patience in handling a sometimes crushing caseload, and — most important of all — a renewed commitment to ensuring that justice is done.

By Gary Toohey

“Prosecutor, teacher, tutor, trash man.”

That’s how the *St. Louis Post-Dispatch* described Chris Hinckley in a 2005 article focusing on the low pay and high turnover among public service attorneys. The article detailed how Hinckley, a gang unit prosecutor with the St. Louis Circuit Attorney’s Office, worked four jobs “to make ends meet while he tries to pay \$1,200 a month toward \$130,000 in student loans. Like many prosecutors . . . around the nation, Hinckley struggles to keep up with skyrocketing tuition bills while his salary stagnates.”¹ In fact, Hinckley’s plight prompted a prosecutor in an adjoining county to describe him as “the poster boy for loan forgiveness.”²

In addition to his work with the Circuit Attorney’s Office, Hinckley earned extra money by teaching part-time at the University of Missouri-St. Louis and tutoring a high school student. He also emptied trash at his Central West End apartment building, as well as the building next door, in exchange for a free parking space and a \$50 discount on his monthly rent.³

That was then, and this is now. Hinckley continues in a public service role, but as general counsel for the Missouri Gaming Commission in Jefferson City. While he said his current position in state government represents a better opportunity for professional growth, he doesn’t deny that the pressure involved in being a prosecutor played a role in his decision to leave the Circuit Attorney’s Office at the end of 2006.

“At some point you need to make that kind of determination as to whether you want to be a prosecutor for the rest of your life,” he said. “It’s very difficult, especially when you’re young and thinking about all of the lean years

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that you will probably go through. As a prosecutor, you're probably looking at 10-15 lean years."

Hinckley's story is not atypical. Prosecutors, as with other public service lawyers, still often find it difficult to make ends meet when faced with modest salaries and crushing student loan debt.

"Many of the assistant prosecutors ... will be the building superintendent to cut their rent, or they will work at Ann Taylor to make some inroads on their suits, because they have to have suits," said Rachel Smith, an assistant prosecutor in the St. Louis Circuit Attorney's Office.

Add to that burden the long hours inherent in the job, and limited non-salary resources available to address an ever-increasing caseload, and you have the recipe for high employee turnover.

Brian Keedy, director of the Missouri Office of Prosecution Services, describes it this way: "It's like being employed in a shop that is open eight hours a day, five days a week, getting paid for a 40-hour work week, working on cases that come into the office on a conveyor belt that runs 24 hours a day, 365 days a year. Prosecutors are asked to delve into the details of each individual case, to seek and discern truth, and with wisdom and fairness balance the interests of justice in each one of those cases. The work is exhilarating, frustrating, meaningful, physically and emotionally draining."

"When you are doing things that are beyond what is already a full-time job, it takes a personal toll," Ms. Smith added. "So we have to ask, 'Has this person burned themselves out?'"

THE COST OF JUSTICE

In many respects, the state's prosecutors face challenges very similar to those

incurred by public defenders and other public service lawyers – particularly the need to stretch a finite number of resources over an ever-growing caseload. Inherent in that process is the need to offer salaries that are competitive enough to keep talented assistant prosecutors on staff, thereby avoiding constant turnover

When you are doing things that are beyond what is already a full-time job, it takes a personal toll, so we have to ask, 'Has this person burned themselves out?'



and the loss of experienced criminal attorneys.

Prosecutors, while sensitive to the critical role that public defenders play within the justice system, note that their needs are no less pressing – and no less vital to the administration of justice.

"The flip side of increasing demands on the public defenders of the state, by definition, means increasing demands on the prosecutors of the state," said John Kay, Moniteau County Prosecuting Attorney. "One of the big differences, however, is that the prosecutors handle all of the criminal cases, while the public defenders handle some of them. In addition, the public defenders have some pretty good resources when it comes to funding for expert witnesses, and other

resources required to go to trial.

"These are items that individual prosecutors are unable to budget annually," he added. "We don't have a reserve budget for these items and we really can't see them coming. We don't have other funds or places we can go to get these resources."

The state's most notable prosecutor, Attorney General Jay Nixon, acknowledges that, while adequate funding for public defenders is imperative, "[i]t's equally important that our prosecutors also have the resources they need to put criminals behind bars and keep our communities safe."⁴

Statistics seem to bear out the difficulties that prosecutors have in stretching resources to address a constantly rising number of criminal cases – including emerging types of criminal activity related to the Internet. Here in Missouri, more than 418,000 felony, misdemeanor and traffic cases – all matters handled by the state's prosecutors – were disposed of in Missouri courts during the period between July 1, 2006 and June 30, 2007.

In 2005, prosecutors across the nation reported closing more than 2.4 million felony cases and nearly 7.5 million misdemeanor cases.⁵ At that time, the National Survey of State Court Prosecutors noted that prosecutors "reported facing an increasingly complex composition of case and issues with staff and budget resources essentially unchanged since 2001."

A survey conducted that same year found that:

- Half the prosecutors' offices nationwide employed nine or fewer people and had a budget of \$355,000 or less.
- 60 percent of prosecutors litigated a variety of crimes related to computer and electronic commerce fraud (felony or misdemeanor), a 20 percent increase compared to 2001.

FEATURE ARTICLE

• 70 percent of prosecutors prosecuted at least one case involving the transmission of child pornography, an increase of 40 percent compared to 2001.

• Approximately 70 percent of the prosecutors nationwide litigated an identity theft case, an increase of 50 percent since 2001.⁶

"In the 17 years that I've been in office, our caseload has tripled and the number of prosecutors that I have is actually one less than I had 16 years ago," said Buchanan County Prosecuting Attorney Dwight Scroggins.

"When I first started [in 1989], we were filing about 1,150 felonies and misdemeanors, with about 2,000 traffic tickets," agreed Robert George, prosecuting attorney of Lawrence County. "In fiscal year 2007, we had about 3,200 cases, including traffic cases. But what those figures don't address is that, when I first started, we would file each charge separately – for example, burglary and stealing charges were separate charges. Now we file multiple counts under one case number to speed things up in court. So those numbers don't reflect the workload we have now. We actually put in more time on those cases."

"In our office, it is constantly a challenge in terms of salaries and caseload," said Ms. Smith. "We are responsible for every criminal case filed in the city, plus many other things such as asset forfeiture and representing officeholders in [Section] 1983 actions. Those responsibilities add to the notion of what you think of as the pure prosecutor. Given crime rates, and given the focus on increasing witness and victim participation, there are many, many challenges in ensuring that citizens obtain justice."

STATUTORY MANDATES

Chapter 56 of the Missouri Revised Statutes governs all of the state's circuit and prosecuting attorneys, as well as

county counselors. Section 56.060.1 provides a general description of a prosecutor's duties:

Each prosecuting attorney shall commence and prosecute all civil and criminal actions in the prosecuting attorneys' county in which the county or state is concerned, defend all suits against the state or county, and prosecute forfeited recognizances and actions for the recovery of debts, fines, penalties and forfeitures accruing to the state or county.

Missouri has a prosecuting authority in all 114 counties, plus the City of St. Louis. Of these 115 officials,⁷ only 61 serve as full-time prosecutors. While full-time prosecutors may generally be found in the state's more populous counties, that decision is up to the people of each county, who have authority to establish whether the position of prosecutor is a full-time or part-time position.

There are exceptions to that generalization, however. For example, all first class counties without a charter form of government are required to have a full-time prosecutor.⁸ Likewise, statutes require any fourth class county to have a full-time prosecutor if that county has a population between 48,000 and 60,000, two correctional centers and a state mental health center.⁹

By state law, no full-time prosecutor may engage in the private practice of law.¹⁰ Part-time prosecutors – found primarily in the state's less populous counties – do not have this restriction.

Full-time prosecutors' salaries are established at the same compensation level as associate circuit judges – currently \$101,088 per year.¹¹ In addition, prosecutors may receive additional funds if a Missouri Department of Corrections

facility is located in their county. This additional compensation ranges from \$10,000 to \$20,000, depending on the average yearly inmate population of the facility.¹²

Salaries for assistant prosecutors, on the other hand, are based on each county's assessed valuation. They range from a low of \$37,000 to a high of \$55,000.¹³

While state statutes set limits, based on assessed valuation, on the number of assistant prosecutors who may be hired in second class counties, prosecutors in all other counties are generally free to hire as many prosecutors as their budgets will support.

Indeed, how a prosecutor spends their budget is left largely to his or her discretion. But before any prosecutor can consider the daunting ramifications of that problem, they must negotiate with the funding authority. In Missouri, that entity is typically the county commission.¹⁴

THE ART OF NEGOTIATION

Unlike public defenders, prosecuting attorneys do not have a central authority that coordinates funding and related services. As all county prosecutors and their staffs are county employees, the county commission has ultimate jurisdiction over the funding level for local prosecutors' offices. This means that prosecutors must, on an annual basis, negotiate their budget with a county commission that is also required to fund all other county offices.

This de-centralized approach can be both a blessing and a curse, prosecutors say.

"The budget process, particularly in smaller counties, is not a matter of the prosecutor setting the budget and then having it approved by the county commission," Kay noted. "It's a matter of sitting down with the commission and

FEATURE ARTICLE

trying to allocate a very limited amount of resources among law enforcement and all the other needs of [county] government."

"We are not a wealthy county by any stretch of the imagination," Scroggins added, "but we are a very stable county and the [county] commission has always treated us well in making available what we need to prosecute cases."

"The biggest advantage that prosecutors have is that they have the ability to use their judgment to prosecute cases in a way that best meets the needs of their county," he continued. "We are more flexible, and better able to tailor our offices to fit the individual needs of the county."

"A prosecutor's office is very much like any law office when it comes to expenses," said Keedy. "The county usually, but not always, provides office space. Office supplies and equipment come out of the budget, as do library expenses. Litigation expenses, including deposition fees, expert witness fees, witness-related expenses and other expenses related to litigation come out of the budget. Some prosecutors have investigators on staff, and their salaries come out of the budget. IT [information technology] expenses are something else more and more prosecutors have to provide for."

THE SEARCH FOR SUPPLEMENTAL FUNDS

While virtually all of the operating funds for a prosecutor's office come from the county budget, prosecutors also have access to three statutory funds

available to them for operation of their offices. These are:

Bad Check Fund

Under § 570.120, RSMo, the prosecuting attorney collects a statutory administrative handling fee for enforcement of the crime of passing bad checks. The cost per case is established by statute. The costs are deposited with the county treasurer in a separate interest-bearing fund to be expended by the prosecuting attorney. As authorized by statute, funds

may only be used for office supplies, postage, books, training, office equipment, capital outlay, expenses of trial and witness preparation, additional employees, and employee salaries.¹⁵

Training

Fund

Under § 56.765, RSMo, 50 cents from all statutorily designated criminal cases shall be payable to the county treasurer of the county from which such funds were generated. The treasurer is to deposit the money in a separate prosecuting attorney training fund used solely for the purpose of providing additional training for prosecutors and staff.¹⁶

Delinquent Tax Fund

Under § 56.312, RSMo, half of the tax collection fee designated for the use of prosecutors, as provided in § 136.150, RSMo, is to be deposited in the county

treasury into an interest-bearing fund to be spent at the direction of the prosecutor as authorized under the statute. These funds may only be used for the same purposes as funds collected through the Bad Check Fund.¹⁷

In addition to these sources of additional funds, over the years prosecutors have occasionally taken advantage of various grants from the federal government and other entities to supplement their budgets or address specific crime issues. However, many of these once-plentiful grants have been discontinued, and prosecutors say that those which remain often carry conditions which make them impractical.

"I have in the past utilized grants for victim advocacy services," said Kay. "The trouble with using grants as a funding source is that it often requires a certain cost share to be made by the county. Oftentimes, at the end of the grant period they want the position to remain fully funded by the county."

"I tried to use a crime victims' grant about seven years ago, and my idea was to use that money for crime victims in the county," George explained. "They started narrowing down the people I could use this money to help. It turned out I could [through the grant] get a staff member for \$20,000 to handle about 100 cases, and I just can't justify that—especially when I have a secretary handling about 1,000 cases for \$19,000."

"The federal grants that were out there a decade ago for community prosecution, for drug task forces, for meth task forces, are drying up," noted Ms. Smith. "It's not that we're unsuccessful in getting them—it's just that the money isn't there anymore. We keep an eye on what Congress is doing, and we pay attention to what bills are in front of Congress. We actively watch what's out there, but the money just isn't being allocated out



—George Kay

"The flip side of increasing demands on the public defenders of the state, by definition, means increasing demands on the prosecutors of the state."

FEATURE ARTICLE

of Washington.”

At least one prosecutor believes the State of Missouri should take a long look at helping to fund prosecutors’ offices.

“It is interesting that local prosecutors perform what most people would consider to be one of the primary duties of government – to see that justice is administered – but yet the state has virtually no funding interest in prosecutors,” Scroggins said. “The state needs to recognize that they have a huge stake in the prosecutor’s office being the primary office through which justice is dispensed.”

KEEPING GOOD PEOPLE

“When you talk to most people who go into prosecution, it’s because they want to do this sort of work,” explained George. “There are a lot of people who want to stay as career prosecutors and don’t want to move on to something else.”

Nevertheless, one of the most significant challenges facing prosecutors is the difficulty in attracting and retaining young assistant prosecutors. Even dedicated young lawyers who desire to work in the public service arena can find it difficult to justify the long hours and enormous caseloads they must juggle in view of salaries that don’t begin to compare with what first-year associates make in the private sector. Factoring in family obligations and substantial law school debt often results in otherwise enthusiastic, committed assistant prosecutors leaving for greener pastures just as they are becoming accomplished trial practitioners. The revolving door of employee turnover can affect the overall effectiveness of a prosecutor’s office.

“From my experience, the setting of salaries of assistants and staff involves a negotiating process between the prosecutor and the county commission,”

Keedy said. “In some cases, prosecutors are given a set amount and they get to figure out how to spend it. In other counties there are salary schedules for county employees. Even if their salary schedules aren’t formalized, there are frequently problems when one county officeholder pays his or her employees more than other officeholders.”

Problems associated with the recruitment and retention of attorneys to staff prosecutors’ offices is not limited to Missouri. National survey information indicates:

Problems with recruiting new staff attorneys were reported by 24% of prosecutors’ offices and problems in retaining staff attorneys by 35%. Thirty-seven percent of full-time medium offices and 27% of full-time large offices reported problems in recruiting new staff attorneys compared to 11% of part-time offices. Similarly, over 60% of full-time large and medium offices indicated a problem in retaining staff attorneys while 34% of full-time small offices and 22% of part-time offices reported such a problem. Salary was the primary obstacle cited by prosecutors’ offices with recruitment problems (83%) and offices with retention problems (71%).¹⁸

“There was a time, not so long ago, when being a prosecutor was an honorable and decent paying career. Today, however, while the career is still an honorable calling, financial realities are having a significant impact on the profession,” wrote Thomas J. Charron, former executive director of the National District Attorneys Association, in 2006. “Prosecutors are forced to compete

with private law firms to recruit good lawyers, and new lawyers, saddled with sometimes staggering law school loans, are forced to choose between a rewarding career in public service or a financially lucrative career in private practice.”¹⁹

In his article, Charron also provided the startling results of a survey conducted to gauge the extent of the problem:

Almost all (89.4 percent, in fact) of the 2,119 prosecutors who responded to the survey had taken a loan to offset the costs of law school tuition, and 85 percent still owe money on their loans. Most are struggling to pay off loans between \$45,000 and \$90,000, and spend an average of 19 percent of their monthly salary (\$251-\$500 per month) to do so. It is not unusual for young prosecutors to hold a second job to make their law school loan payments, with many working between 10 and 20 hours per week at their second job alone.

This burden of loan debt takes a considerable toll on the quality of life for younger prosecutors, influencing many life decisions. . . . [M]ost prosecutors reported that their loans are a significant consideration in the decision to buy a home or a car and even to start a family or become a career prosecutor. In fact, more than half of the prosecutors reported that they would work an average of 22 years in prosecution if loan forgiveness were an option.

Chief prosecutors and supervisors also reported that loan forgiveness is a very signifi-

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cant factor in recruitment and retention of staff. The majority of offices that responded to the survey were small ones, employing an average of 10 or fewer prosecutors with turnover rates of 50 percent or higher. They attribute much of this turnover to the weight of law school debt on young prosecutors. More than half of the chief prosecutors or supervisors who responded reported that, in the past year, between one and five prosecutors left their office, and nearly a third of them left because of law school loan payments.

The implications of not being able to recruit or retain qualified attorneys are tremendous for small and large offices alike. [The] survey found that the most significant effects of loan debt on prosecutors' offices include increased costs for repeatedly training new prosecutors, fewer experienced attorneys to prosecute complex or violent cases, increased caseload per attorney, decreased morale, and increased risk of prosecutorial error.²⁰

"We expect to keep young assistant prosecutors for 3-6 years," Scroggins said. "We understand that this is a position that a lot of young attorneys take in order to be able to gain experience in court, and it's just a natural movement for those young attorneys to look at other areas after they've been here for five or six years.

"The most important issue on turnover," he continued, "is work environment and the efficiency with which an office functions. If they feel over-

whelmed because the office doesn't run well, or if they feel inadequately trained, or have inadequate supervision, they're going to stay a shorter period of time."

"It is very difficult to attract and retain a highly qualified, diverse pool of young lawyers," Ms. Smith confirmed. "With student loan debts mounting for everyone, starting salaries can't even begin to compete with private law offices. Once we get them here and we invest the training dollars and time—and we give them good, substantive experience—family obligations come in and we lose people. We realize that turnover comes at the price of justice, and having inexperienced people handling complex criminal matters is not in the public's best interests."

"Obviously, prosecutors are not in their profession for the money," wrote former National District Attorneys Association Executive Director Newman Flanagan. "If you ask them why they love their jobs, and we have, they'll tell you that it's a combination of several things. It is the privilege of serving and protecting their communities and the satisfaction of 'doing good' that comes from seeking only one goal: justice. One prosecutor put it this way: 'When I look at myself in the mirror at the end of the day, I can say, "You've done something good for your friends and neighbors today."

"But prosecutors shouldn't have to pay a financial penalty for doing so."²¹

A COMMITMENT TO JUSTICE

In addition to the availability of adequate funding, the flip side of the problem facing prosecutors is the growing number of criminal matters they must address. And while some would opine that prosecutors have the power to establish their own caseloads by making decisions as to how many matters to pursue, veteran prosecutors bristle at the

"When you talk to most people who go into prosecution, it's because they want to do this sort of work... and don't want to move on to something else."

—Robert George



suggestion that they would arbitrarily deny justice to crime victims.

"Under our constitution in this state, victims of crimes have constitutional rights and the public, in general, has a right to have crimes investigated, the laws enforced, and cases prosecuted in court," said Kay. "To say that prosecutors can choose which of the cases they are going to pursue, I think that is true only in the limited area of having to prioritize the resources that are here. I don't think any prosecutor on any sort of felony or major case is going to just decide arbitrarily to prosecute this case, but not another."

"While it is true that prosecutors decide who to charge and what to charge, when a crime is committed and a suspect is identified, it is difficult to believe that prosecutors would, as a caseload management tool, pick and choose from among those cases," agreed Andrea Spillars, chief counsel for the Missouri Attorney General's Public Safety Division.

Challenging that commitment to the

Continued on page 15

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Prosecution

(from page 11)

victims of crime and the people of the state is the ever-growing number and types of criminal matters prosecutors face. Playing a significant role in the burgeoning caseload are an explosion in drug-related matters, along with relatively new crimes such as consumer fraud, identity theft, child pornography and other matters resulting from computer technology.

"When you're talking about technology crimes – pornography, elder abuse, identify theft – we are making do with existing resources," acknowledged Ms. Smith. "Are there many things we'd like to do to be proactive? Of course. But right now it's a matter of being innovative or dealing with the crimes that are right in front of you.

"The head of our white collar fraud unit," she continued, "received an award for being one of the first prosecutors to go after some of the bootleg copying of DVDs and CDs, and that was beyond other duties supervising staff."

"[Technology-related] crimes have placed additional demands on us," agreed Kay. "Almost by definition, these sorts of crimes are more complex. They require more expert testimony. They require additional resources. They are not the type of case where the officer catches someone stealing something. These cases are also cases that involve the necessity of having some sort of expert individual testifying."

Ironically, one local prosecutor said state lawmakers' attempts to respond to technology-related matters – such as making a threat over the Internet – have actually hindered prosecutors' ability to do their jobs by creating what he describes as "feel good" legislation.

"When I first started as an attorney in 1976, [the Missouri Revised Statutes]

consisted of five volumes," George said. "Those five volumes took up about a foot and a half to two feet of shelf space – and one of the volumes was the index volume. If you look at that right now, we have 20 volumes, five of which are index volumes.

"The problem is that we keep legislating and legislating and legislating crimes," he added. "I am going to get somebody who has been cussed out on MySpace, and I am going to have to prosecute somebody who has made a statement on MySpace. We have the civil courts to handle these types of issues. The legislature has legislated the prosecutors to death."

Further complicating prosecutors' ability to perform their tasks is the issue of funding for law enforcement agencies at the local, county and state levels. Budget restrictions on police departments, sheriff's departments, and the Missouri State Highway Patrol – especially when it results in the turnover of veteran officers – have a direct effect on prosecutors' ability to build a case. This is especially true for prosecutors' offices in smaller jurisdictions, which may not have an investigator on staff.

"When you have a younger and younger police department, the loss of those veterans directly impacts the ability of the police to solve crimes and the quality of the cases that are brought to us," Ms. Smith confirmed. "When you have a new officer working on a case, you have to work much more closely, more intensely, in order to shape a case that is both constitutional and winnable. When you have high turnover, young officers, or an inexperienced police force, that directly impacts the back end of the case. This is not unique to the city; it is a systemic problem."

"Any time that resources are limited at the ground level with the police, it is going to impact prosecutions," Ms. Spil-

lars added. "Our prosecutions are only as good as the information we get from a law enforcement standpoint."

"In my particular job, I don't have an investigator," Kay added. "I am completely dependent upon the law enforcement agencies of the county to not only present cases, but also to investigate to the point necessary to take a case to trial. This is like a chain, and the weakest link in the chain is going to break the chain."

A HELPING HAND

Amidst all of these difficulties, prosecutors do have a very powerful ally in the form of the Missouri Attorney General's Office. That office's Public Safety Division, along with the Missouri Office of Prosecution Services, are of direct assistance to busy prosecutors across the state.

Public Safety Division

Through its Public Safety Division, the Attorney General's Office assists prosecuting attorneys in complicated trials and as special prosecutors when there is a conflict of interest. The office claims that its efforts saved counties more than \$2.9 million in 2007.²²

Indeed, attorneys in the Public Safety Division handled 703 special prosecutions in 90 counties and the City of St. Louis in 2007. They obtained nine first-degree murder convictions that resulted in seven sentences of life in prison and two death sentences.²³

According to Ms. Spillars, prosecutors who have a complicated case or a conflict of interest in a particular matter must request that the governor appoint a special prosecutor from the Attorney General's Office.

"From the standpoint of being appointed as special prosecutors or assisting a local prosecutor, we currently have a little over 1,000 active criminal

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prosecutions that we're involved in statewide," she said.

Missouri Office of Prosecution Services

Designated by statute as an autonomous entity with the Missouri Attorney General's Office, the Missouri Office of Prosecution Services (MOPS) provides training and technical assistance to Missouri prosecutors.

Its statutory duties include: developing and providing basic prosecutor's manuals and education materials; developing, supporting and maintaining an automated case management and criminal history reporting system; preparing, disseminating and supplementing indexes to and digests of statutes and appellate court decisions; training prosecuting attorneys and circuit attorneys on a statewide basis; providing legal research assistance for prosecuting attorneys and circuit attorneys; providing model complaints, informations, indictments, instructions, search warrants, interrogation services and other common and appropriate documents employed in the administration of criminal justice; providing assistance to prosecuting attorneys and circuit attorneys necessary for the successful implementation of sections of Chapter 56, RSMo; and administration of a security program for witnesses, potential witnesses and their immediate families in criminal proceedings or pending investigations.

Scroggins said MOPS is a significant source of assistance for prosecutors because it provides resources without attempting to force a "one size fits all" system upon all prosecutors.

"Not having 114 different case management systems is a positive thing," he said, "but instead of bringing one in and mandating that all counties go to it, the approach that MOPS takes is that they

make these tools available to you, and then the individual prosecutor can make the decision as to whether that is going to be an improvement for them or not. You're not taking away the ability of the individual prosecutor to tailor their office to meet the individual needs of their county."

FIGHTING THE GOOD FIGHT

While the support provided by the Attorney General's Office is welcome and appreciated, prosecutors know that the burden of ensuring justice for the people of their locale is one they must usually shoulder with the resources at hand.

"We've never had the resources we would like to have," Kay admitted. "It's always been a matter of prioritizing and trying to direct the resources that we have available."

Still – despite the long hours, limited budget, comparatively low staff salaries, growing caseload, and the challenges posed by online crimes – a significant number of prosecutors and assistant prosecutors forge on, buoyed by the knowledge that they are making a difference in people's lives.

"Prosecutors have a constitutional oath to serve the people of the State of Missouri," Ms. Smith said. "We have a responsibility to seek justice for the people of the state – including the defendant and the victims. We have a constitutional call to not charge someone if the evidence does not support that charge or is illegally obtained. Our job is not to protect just one person; our job is to protect the people of this state."

"I love being a prosecutor," she continued. "It is the one place in the practice of law where we have to do what is right, rather than what is expedient. I firmly believe we need an adequately funded public defender system. They are the safeguard of individual rights. Equally

important is making sure that the gatekeepers of the people's rights are also adequately funded."

ENDNOTES

1. Robert Patrick, "Public Lawyers Face Low Pay, High Turnover," *St. Louis Post-Dispatch*, March 6, 2005.

2. *Id.*

3. *Id.*

4. "Candidates Speak Up on Public Defenders, Second Injury Fund," *Missouri Lawyers Weekly*, 22 M.O.L.W. 326, April 7, 2008.

5. "Prosecutors in State Courts, 2005," Bureau of Justice Statistics, U.S. Department of Justice (July 2006).

6. 2005 Prosecution Statistics, Bureau of Justice Statistics, U.S. Department of Justice, available at www.ojp.usdoj.gov/bjs/pros.htm.

7. For purposes of this article, the term "prosecutors" includes the circuit attorney of the City of St. Louis.

8. Section 56.067, RSMo.

9. Section 56.066.2, RSMo.

10. Section 56.067, RSMo.

11. Section 56.265.1(1), RSMo.

12. Section 56.066.1, RSMo.

13. Section 56.265.1(2), RSMo.

14. In the City of St. Louis, the funding authority is the St. Louis Board of Aldermen, subject to the approval of the Board of Estimate and Apportionment of the City of St. Louis.

15. Missouri Prosecutor Handbook, Missouri Office of Prosecution Services (2007).

16. *Id.*

17. *Id.*

18. "Prosecutors in State Courts, 2005," Bureau of Justice Statistics, U.S. Department of Justice (July 2006).

19. Message from the Executive Director, Prosecutor Magazine, National District Attorneys Association (January-February 2006).

20. *Id.*

21. Message from the Executive Director, Prosecutor Magazine, National District Attorneys Association (March-April 2001).

22. Missouri Attorney General's website at www.ago.mo.gov/prosecutors.htm.

23. *Id.*

Gary Toohey is The Missouri Bar's Director of Communications.

**Safety & Justice Roundtable meeting
Six-Month review session with Moderator Brian Fogle
July 16, 2008
Springfield-Greene County Office of Emergency Management
833 Boonville Ave., Springfield, Mo.**

AGENDA

1. Call to order

Robert Spence and Jean Twitty, Roundtable co-chairs

2. Intro Brian Fogle

3. Review and discussion of topics studied by Roundtable

Safety & Justice Roundtable
Six-month review session with moderator Brian Fogle
July 16, 2008, 7:30 a.m.
Office of Emergency Management
833 Boonville Ave., Springfield, Mo.

MINUTES

Members present (11): John Crow, Bernie McCarthy, Mark Skrade, Jill Elsey-Stoner, Matt O'Reilly, George Templeton, Brad Stokes, Gerry Pool, Stephanie Montgomery, Jean Twitty, Robert Spence.

Members absent (7): Ron Baird, Bob Cirtin, Jim Cook, John Holstein, Steve Ijames, Yolanda Lorge, Nate Quinn.

Others present: Brian Fogle, moderator; Jerry Moyer, Greene County Courts Administrator; Tim Smith, Greene County Administrator, Jenny Fillmer Edwards, Greene County PIO.

The meeting was called to order at 7:30 a.m. and self-introductions were made. Brian Fogle, acting as moderator/facilitator of the review session, was introduced. Jerry Moyer, newly-appointed Greene County Courts Administrator, was introduced.

Mr. Fogle opened the discussion with a review about how the study process was working. The following questions and comments were noted on an easel, based upon the group's discussion. Notes taken by Jenny Edwards.

THE PROCESS:

- The amount of information group has studied is overwhelming, and it may be difficult to distill and prioritize.
- Where do we begin?
- External issues, beyond the county's control, may be impacting those within the Criminal Justice System:
 - Mental health
 - Substance abuse
 - Family issues
- Perhaps the Roundtable should break into subcommittees to study issues.
- Roundtable needs a better understanding of how Greene County government works, and how its budget works.
- Roundtable needs more information on methods for implementing change within the system.
- Roundtable needs to examine the greater community's 5-year goals, discuss how they fit with the Roundtable's charge.
- Roundtable needs to discuss what its final product will be, how it will look.
- Recommendations should not solve one problem by making another portion of the system worse. The many pieces of the system need to fit together and make a whole.
- Would Greene County voters support a tax to support the law enforcement/criminal justice system?
- How will the Roundtable make the public aware of its findings? This group has the opportunity to make recommendations that will be heard. Citizens will recognize the group's efforts.
- How can the Roundtable work within the county's existing resources? Roundtable needs to explore solutions that cost little or nothing.

- What is the deadline for completing the group's charge? The final product is whatever the group wants to make it.
- How can Roundtable include public opinion in its review? How can we involve other stakeholders in the community?

Public Input sessions- could Brian Fogle moderate?

Online surveys

- Can we sit down with the judges, Prosecutor and Courts Administrator? Can the Roundtable arrange meetings with various officials, for example, the Prosecutor and Public Defender? Tim Smith said the county would support group's need to bring officials together- could occur in a Criminal Justice Coordinating Committee meeting.
- Group would like to meet with state legislators, to discuss needs from state-funded positions and programs.
- Group would like to workshop/stress-test some ideas. For example: what if the jail was expanded?
- How can employees working within Criminal Justice system share their ideas? The group discussed the possibility of conducting Employee Surveys within the city and the county, asking employees their ideas where cost savings and other efficiencies could be made. The group would like permission to conduct surveys—perhaps this could be discussed with the Criminal Justice Coordinating Committee.
- How can the group facilitate involvement of the education community within the system? Compare to mental health community's current involvement.
- Can we summarize local statistics in one document and compare them to national averages and best practices?

Mr. Fogle then guided discussion on various topics covered studied by the Roundtable, in chronological order, based upon minutes of meetings from January to June.

COURT- CASELOADS AND BACKLOGS:

- Can the Roundtable help streamline operations within the courts?
- Can the group address the change of venue process?
- Can inmates charged with misdemeanors be filtered out of the jail? What is the average cost to house a misdemeanor charge in jail?
- Can the county utilize visiting judges?
- Can the county set up temporary courtrooms?

BUDGET:

- 39 percent of County Revenue goes to Law Enforcement?
- What are the unfunded state mandates?
- Need updated city budget/ financial info, including an explanation of the Police Fire Pension situation.
- Need documents showing city budgets are, indeed, competitive, as shown in the city's budget document prepared for the group.

KALMANOFF:

- Is this study still valid?
- How does Kalmanoff study compare with group's charge?
- Does the Kalmanoff study need an update or review?

SHERIFF- LAW ENFORCEMENT AND JAIL:

- Group would like further exploration and discussion of combining services of sheriff and police.

- Group needs more info on book-and-release. Why are threatening and violent offenders booked, then released, as observed by a roundtable member's friend? Is this due to overcrowding? What are the criteria for booking an inmate? How and why would an office request 24-hour hold?
- Is there an error in the average length of stay for a felony charge with no bail? (Decimal point may be in error on the Q&A)
- Who is responsible for paying jail costs (federal, state, city, county, inmates?)

PRE-TRIAL SERVICES:

- How do failure-to-appear rates compare between those out on bail and those involved in Pre-Trial release?

EMERGENCY MANAGEMENT:

- No discussion.

JUVENILE:

- What is county's greatest need within Juvenile Justice system?
- Is the Juvenile crime rate going up or down?
- Need Juvenile crime stats, include rate of repeat offenders.

PROSECUTING ATTORNEY/PUBLIC DEFENDER:

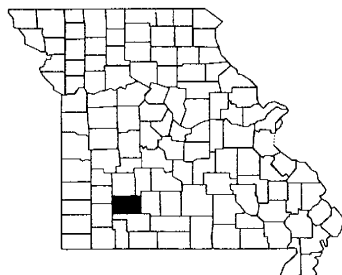
- What is average percent of guilty pleas?

The group discussed whether or not to hold a regularly scheduled meeting Aug. 20, due to back-to-school activities. It was decided to poll members via e-mail about their availability on that day. (The Aug. 20 meeting was later cancelled.)

The meeting was adjourned 9:45 a.m.

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GREENE COUNTY



ADA REGION Southwest
 ADA SERVICE AREA 10
 FIPS COUNTY CODE 077
 POPULATION *

2000 Census 240,391
 2001 Estimate 241,506
 2002 Estimate 243,126
 2003 Estimate 245,408
 2004 Estimate 247,992
 2005 Estimate 250,784
 2006 Estimate 254,779

CENSUS 2000 SUMMARY

Male Under Age 18 27,559
 Female Under Age 18 25,942
 Male Age 18 and Over 89,144
 Female Age 18 and Over 97,746
 Median Age 35.1
 Caucasian 224,859
 African American 5,426
 Native American/Alaskan 1,583
 Asian/Pacific Islander 2,865
 Other/More Than One Race 5,658
 Hispanic of Any Race 4,434

BIRTH RISK FACTORS

	2005	2004	2003
Resident Births--Total	3,448	3,271	3,220
Pregnant Smoking Reported	661	668	676
Pregnant Drinking Reported	37	33	26

COMMUNICABLE DISEASES

	2005	2004	2003
Cumulative AIDS Cases	330	314	325
Cumulative HIV Cases	138	136	170
Hepatitis B	63	50	24
Hepatitis C	375	306	367

HOSPITAL / EMERGENCY ROOM

	2005	2004	2003
Alcohol Related--Total	2,950	3,145	2,965
Direct Hospitalizations	450	462	380
Emergency Room Hospitalizations	1,193	1,272	1,354
Emergency Room Outpatient	1,307	1,411	1,231
Drug Related--Total	2,568	2,345	1,991
Direct Hospitalizations	659	591	470
Emergency Room Hospitalizations	997	952	793
Emergency Room Outpatient	912	802	728

DEATHS

	2005	2004	2003
Resident Deaths--Total	2,345	2,305	2,424
Alcohol Related Deaths	15	30	16
Drug Related Deaths	70	42	51
Smoking Related Deaths	420	368	414

TRAFFIC

	2005	2004	2003
Alcohol Involved Crashes--Total	368	384	375
Fatal Crashes	7	8	6
Injury Crashes	142	189	166
Property Damage Crashes	219	187	203
Crash Fatalities	7	8	8
Crash Injuries	199	272	252
Drug Involved Crashes--Total	56	77	74
Fatal Crashes	0	1	1
Injury Crashes	27	32	40
Property Damage Crashes	29	44	33
Crash Fatalities	0	1	1
Crash Injuries	39	52	60

SCHOOL ATTENDANCE

	2005-2006	2004-2005	2003-2004
Enrollment Grades 9-12	10,913.5	10,675.5	10,586.0
Drop-outs	712	455	508
Drop-out Rate	6.5%	4.3%	4.8%

EMPLOYMENT

	2005	2004	2003
Labor Force	139,848	138,403	130,890
Employed	134,087	132,218	125,890
Unemployed	5,761	6,185	5,000
Unemployment Rate	4.1%	4.5%	3.8%

VOCATIONAL REHABILITATION

	FFY2006	FFY2005	FFY2004
Alcohol or Drug Disability	416	324	57
Mental Illness Disability	394	326	326
Mental Retardation Disability	88	90	168

JUVENILE COURT REFERRALS

	2005	2004	2003
Law Violation Offenses--Total	1,890	2,234	2,235
Violent Offenses	654	793	673
Alcohol Offenses	49	68	35
Drug Offenses	207	229	234
Status Offenses--Total	538	556	666
Truancy	0	8	1
Beyond Parental Control	50	79	121
Runaway / Absent From Home	95	139	137
Injurious Behavior	392	324	405
Abuse/Neglect/Custody--Total	1,058	781	689
Abuse	293	129	207
Neglect	552	428	279
Custody Disputes	213	224	203
Out-of-Home Placements--Total	389	306	273
Parental Alcohol Use Related	24	20	17
Parental Drug Use Related	160	112	58
Parental Alcohol and Drug Use	23	8	17
Child Removed for Other Reason	182	166	181

POLICE REPORTS

	2005	2004	2003
DWI/DUI Arrests	2,021	2,404	2,738
Drug Arrests	1,615	1,978	1,783
Methamphetamine Lab Incidents	85	111	99
Violent Offenses	1,036	957	1,124
Property Offenses	14,666	14,120	14,407
Domestic Violence Reports	3,073	2,936	2,888

CRIMINAL JUSTICE

	FY2006	FY2005	FY2004
Prison Admissions--Total	792	840	812
Prison Admissions--Drug	251	222	264
Prison Admissions--DWI	54	78	49
Probation/Parole Openings--Total	1,562	1,428	1,602
Probation/Parole Openings--Drug	486	439	540
Probation/Parole Openings--DWI	126	129	167

* Population estimates for all years are revised annually by the Census Bureau.

GREENE COUNTY

DIVISION OF ALCOHOL AND DRUG ABUSE -- ADMISSIONS DATA

SUBSTANCE ABUSE TREATMENT ADMISSIONS, BY CATEGORY	FY2006	FY2005	FY2004	SUBSTANCE ABUSE TRAFFIC OFFENDER PROGRAM (SATOP)	FY2006	FY2005	FY2004
CSTAR Adolescent	162	150	165	Offender Management Unit	1,487	1,615	2,103
CSTAR Women and Children	355	339	298	-- Alcohol/Drug Education Program	59	111	112
CSTAR General Population	207	233	251	-- Offender Education Program	757	837	1,032
CSTAR Opioid	1	0	2	-- Weekend Intervention Program	468	422	449
Primary Recovery Detoxification	318	397	462	-- CIP, YCIP, SROP	<i>See Clinical SATOP under Treatment Programs at left.</i>		
Primary Recovery Treatment	631	618	715				
Recovery Supports	386			OTHER SERVICES PROVIDED			
Clinical SATOP	111	151	264	Codependency	131	245	110
Other Substance Abuse Treatment	1	1	2	Compulsive Gambling	11	0	0

Treatment consumers, described in the data below, are counted once for each type of treatment program (above left) they entered during the fiscal year. Clinical SATOP includes Clinical Intervention Program, Youth Clinical Intervention Program, and Serious and Repeat Offender Program. Admissions for non-clinical SATOP, Codependency, and Compulsive Gambling services listed on the right side above are not included in the data below. Statewide, regional, county, and demographic category totals may not match due to non-inclusive categories and incomplete data.

GENDER	FY2006	FY2005	FY2004	PRIMARY DRUG PROBLEM	FY2006	FY2005	FY2004
Male	1,366	1,214	1,486	Alcohol	831	751	981
Female	806	675	673	Marijuana / Hashish	494	465	475
				Cocaine (total)	189	145	167
AGE				-- Crack Cocaine	124	103	121
Under 18	158	141	158	Stimulant (total)	517	364	386
18-24	362	346	359	-- Methamphetamine	512	356	358
25-29	378	258	280	Heroin	17	11	12
30-34	293	247	278	Analgesic except Heroin (total)	82	89	78
35-39	277	261	316	-- Non-prescription Methadone	3	8	2
40-44	302	310	341	PCP, LSD, other Hallucinogen	4	0	2
45-54	349	279	350	Tranquilizer	14	20	12
55 and Over	53	47	77	Inhalant	10	9	6
				Sedative	4	5	16
RACE / ETHNICITY				Other Medication or Illicit Drug	4	11	17
Caucasian	1,910	1,674	1,908	Average Age at First Use of Drug	16.8	17	16.8
African American	200	156	182				
Native American / Alaskan	25	25	17	INJECTION DRUG USE			
Asian / Pacific Islander	4	3	7	Total Injection Users at Admission	355	303	321
Hispanic	22	18	27	-- Daily Injection Use	133	111	108
				-- Weekly Injection Use	54	51	56
EDUCATION				-- Less than Weekly Injection Use	168	141	157
Less than High School Diploma	866	779	788				
High School Grad or G.E.D.	840	720	853	ADDITIONAL SERVICES NEEDED			
A.A. Degree or Some College	377	311	345	Psychiatric Treatment	693	576	616
Bachelor's or Advanced Degree	50	64	96	Special Education	68	62	69
Military Veteran	129	112	123				
				LIFETIME DUI / DWI ARRESTS			
EMPLOYMENT				0	1,034	980	1,199
Employed	584	508	600	1 or 2	460	380	418
Unemployed	519	358	437	3 or More	292	318	490
Not in Labor Force	1,069	1,023	1,122				
				OTHER ARRESTS IN LAST 2 YEARS			
MARITAL / FAMILY STATUS				0	359	356	425
Never Married	1,070	923	984	1 or 2	401	350	403
Married	285	276	290	3 or More	1,276	1,138	1,326
Previously Married	786	674	815				
Total Minor Children of Clients	2,288	1,969	2,256	TREATMENT REFERRAL SOURCE			
Clients Pregnant When Admitted	42	36	20	Self / Family / Friend	726	565	782
				School	7	10	19
LIVING ARRANGEMENT				Mental Health Provider	91	174	216
Independent Living	1,469	1,318	1,509	Health Care Provider	90	96	88
Dependent Living	343	319	347	Court / Criminal Justice	925	795	847
Homeless	250	184	194	Other	333	249	207

**Safety and Justice Roundtable
7:30 a.m., Wednesday, Sept. 17
Springfield Police Department, 321 E. Chestnut Expressway**

AGENDA

1. Presentation by Police Chief Lynn Rowe
2. Discussion and questions
3. Quick tour of Police headquarters

The Police building can be reached from either westbound Chestnut Expressway or from Central Street via Robberson Avenue. Parking is available next to the Police building and the adjacent E-911 building.

Safety & Justice Roundtable
Sept. 17, 2008, 7:30 a.m.
Springfield Police Department, 321 E. Chestnut Expressway

MINUTES

Roundtable members present: Jean Twitty, Robert Spence, Matt O'Reilly, Bernie McCarthy, Nate Quinn, Mark Skrade, Stephanie Montgomery, Gerry Poole, John Crow, Jim Cook, Bob Curtin, George Templeton.

Roundtable members absent: Ron Baird, Jill Elsey-Stoner, John Holstein, Steve Ijames, Yolanda Lorge, Bradley Stokes.

Others present: Springfield Police Chief Lynn Rowe, Sue Schofield- SPD, Evelyn Honea- City Managers Office, Jenny Edwards- Greene County PIO, Mike Brothers- City PIO, Tim Smith- Greene County Administrator, Greg Burris- City Manager, Don Clark- SPD, Kevin Routh- SPD, Ron Hamilton- SPD, Marilyn Greer- SPD.

Springfield Police Chief Lynn Rowe: Intro, welcome, thank you to Roundtable for service to community. Introduced City Manager Greg Burris and PD employees Sue Schofield, Maj. Ron Hartman, Maj. Kevin Routh, Maj. Don Clark, Marilyn Greer.

(Chief Rowe utilized a Powerpoint presentation, which he referred to several times during his presentation.)

This is police department's 150th anniversary. Dept. issued a commemorative challenge coin to mark occasion. Idea is to promote pride in organization, "esprit de corps"

PD serves a census population of 166,000 people, population swells to 350,000 in daytime with commuters. Covers 350 square miles. Police force includes 325 sworn personnel, who have authority to arrest, and 80 ½ non-sworn personnel. Housed in two buildings- HQ on Chestnut Expy. and south district station on west Battlefield. South district station is understaffed and not staffed 24-hours. HQ built in late 1960s, remodeled three years ago. HQ is already bursting at the seams. There used to be a jail in HQ, which booked 9,000 prisoners/year. The jail had capacity of 24 inmates, was bursting at the seams. Now, PD contracts with the county to share their jail.

We do share many resources with the county to minimize expenses: Jail, E-911 Center, City/County/CU 800 MHz Trunked radio system (\$30 million investment.)

Sworn personnel: The last Law Enforcement Sales Tax (1998) gave PD funding for 30 new sworn officers and 12 new support staff. This year, total staff was reduced from 325 to 310 sworn personnel, due to budget cuts. That is a temporary cut — positions are frozen and still authorized. Impact is reduced number of community policing officers, Battlefield Mall presence, daily squad strength.

What consumes us: Traffic accidents tie up several cars. Homicides take major resources. Frequency of multiple-officer responses is increasing with increased calls for services. Local population increase equals more calls for services. Unified Crime Reporting system shows increases in violent, property and total crimes since 2004. Total and Property have crimes more than doubled. Violent crime up about 20 percent.

Q: Is violent crime increase correlated to population growth?

Rowe: Yes, but also as population increases, there is more of a crime element.

Q: Is it true that violent crimes, nationally, have dropped?

Rowe: Some reports do show crime is down nationally. We are not seeing the national trend here. Bullets are flying every day. Almost all of the property crimes are related to the drug trade.

Q: How are property crimes broken down?

Rowe: Property crimes run from petty theft to grand theft-- these are not separated out in the total number. I will give the breakdown of property crimes to Jenny. Majority are auto break-ins.

Q: How does the decrease in officers on patrol reflected in crime stats?

Rowe: Some crimes have spiked, violent crime is showing moderation, we don't measure severity of different types.

Q: What percent of property crimes are committed by juveniles?

Rowe: We know who we arrest and charge, but not who commits all crimes. Most crimes are committed by 18 to 25-year-olds.

(Referencing Powerpoint slides showing population growth compared to number of sworn officers and UCR crime stats) Our ability to respond to increased crime with smaller force is diminished.

Crime Seen: (*Scene? Get web address*)- this is an online locator map of all crimes. Robberies, burglaries, assaults. The amount of violence in our community is incredible, and many assaults don't get reported.

Q: How many assaults are alcohol-related?

Rowe: A significant percentage, but we don't measure it.

Citizens survey: shows community is losing faith in police services, 89% in favor 2002-2005, dropped to 78% in 2007. Why? We don't know. Could be Police/Fire Pension, other infighting within city.

Q: Who do these surveys sample- is it frequent voters?

Rowe: It's a random sample of addresses, only sent to city residents. We tend to oversample in Center City to avoid skewed results (south-siders tend to respond to surveys better.)

Q: So what do you do with that info?

Rowe: We go through a strategic planning session with upper level staff and supervisors, develop a prioritized plan, then build a budget to respond. There are limits to that: the budget stays the same every year.

Response times: Many times we have no officers to send, everyone is tied up, but we will drop what were doing to respond to Priority 1 calls. Priority 1 includes motor vehicle injury accidents- average response time is 8.5 minutes. Priority 2 is non-injury accidents- average response time is 14.15 minutes. Priority 3 is not time-sensitive- 29.09 minutes. All calls get stacked up during a storm.

Q: How do your response times compare to national or regional benchmarks?

Rowe: There isn't really a standard. Communities define that for themselves. We have a goal of 6 minutes for priority 1.

Manpower and replacing worn capital — there isn't money for either. Patrol cars, many have 120,000+ miles. They run all day long. The fleet is aging, and because of budget cuts, we have no new cars this year. We try to turn over our fleet every 2 years, but we can't keep up with that. A patrol car isn't just an average car; it's computer, radios, cages, siren systems, other equipment. We have tremendous capital needs, but our budget has remained the same for 10 years on capital. No new cars this year.

Other unfunded police needs are officers, support staff, records management system- this is the backbone of our system. All our records are electronic. Our current records management system is no longer supported by manufacturer, we can't find pieces or parts for it. Will cost \$700,000 to \$1.5 million to replace. If the system goes down, there is no back-up. Reports would go back to paper filing.

Q: How long does it take for a report to get from police officer to... is your info system connected to jail, and when does prosecutor find out about the arrest?

Rowe: They are two separate systems. The Sheriff's new system is not fully working. Their system does not talk with ours. We cannot pre-book from cars. Officers have to book inside jail.

Q: How long does that process take officers off the street?

Rowe: Minimum one hour, plus paperwork. Total 2-3 hours. And prisoners are out before the reports are complete. Many prisoners are arrested, booked, release and re-arrested for felonies in the same day. Report will go to detective, then supervisor, then prosecutor.

Q: Then they have separate systems to enter info into?

Rowe: Yes. None of the systems talk.

Q: What is current budget for PD?

Rowe: (Passed out budget document.)

Q: Is there any way, when department works up a case, that someone can ask what happened, like why weren't charges filed quicker? Is there a mechanism for following up?

Rowe: If someone thinks to follow up, they can. We only track as far as sending to the prosecutor.

Q: They don't report back?

Rowe: Once a case is filed, we know, but we don't know what happens before then.

Q: Can that feature be built into your next system?

Rowe: That would be possible. Systems can talk to each other, if built that way.

Routh: We should be able to build it that way. It's possible.

Burris: (Referencing budget) This looks like a list of ongoing costs and one-time costs. If you amortize this out, what's the amount we need, per year, to satisfy all needs?

Rowe: We've never calculated that. Average annual increase for equipment, COLA (3 percent), merit increases (5 percent), the total average 5-7 percent.

Burris: What does \$1 million represent? Cars? Records system?

Rowe: If we replaced what we should replace, it would cost... (minute-taker could not understand the answer to this question.)

Burris: If you fund by year, it's certain death, because it's not one-time costs. You amortize those out. And an amortized number is what we really need from the PD, to fully understand the needs/budget.

Rowe: Yes, but we've never been able to fund our capital replacement plan.

Q: Are there priorities among your needs?

Rowe: No, all are critical, Number 1 needs. But if I had to boil it down, I'd say the Records Management System is Number 1.

Q: This group has been concentrating on efficiency needs. That's a helpful point to know.

Q: If you had a new records management system, could you figure out the saved man-hours?

Rowe: The records system we have would be the same as a new system, personnel hours-wise.

Sue Chrisman: It would allow officers to access info they can't get now, make them more productive.

Q: As a community, we want our officers out on the streets, not in jail an hour filling out paperwork. The other part, paperwork costs the county money, as holding prisoner while waiting on charges. It's not an efficient use of time.

Rowe: Booking would still have to be completed, either in the car or in jail. Ideally, I'd like to just drop prisoners off, but Sheriff doesn't have staff to handle that.

Q: What is your ideal answer to budget needs?

Rowe: I don't have the global view the (city) manager's office has, but it seems to me there are just not enough resources to go around. Everybody has critical needs, and there are no revenue sources to fund them. You can cut your budget to meet necessary goals to make the pension system float for a year, but that's not a long-term solution. Service level is dropping. But I don't have a magical solution. The community demands service, expects police to come to accidents. We can't cut our way out of it.

Q: How does the bottleneck in the court system... how much pressure does PD get if they know not all of their arrests will be prosecuted?

Rowe: Criminals know they won't stay in jail for property crimes. Jail releases them. The backlog in the jail and courts, Prosecutor's office- it's a bottleneck all the way through.

Q: Is the justice system losing its teeth as a deterrent to crime, because criminals know they won't be fully prosecuted?

Rowe: That was lost a long time ago. There is no fear factor. The system has taught them there are no teeth and it's open season.

Q: So is that why crime is increasing?

Rowe: That's part of it, but also society changes over time. Values change over time. There are more people that don't care. It's a way of life, sometime a badge of honor to be arrested.

Q: What is your opinion of combining police/Sheriff's departments?

Rowe: I've seen that work. The politics are sometimes difficult, but there are some savings that could be had. It makes sense to combine resources. Politically, it would take a concerted effort.
Burris: Have we ever compared ourselves to city benchmarks?

Rowe: We are very lean. Avg. officers per thousand should be 2, we're 1.8. But that's a sticky business, because you don't want to compare yourself to a community that's much different. Each jurisdiction is unique.

Burris: I'd be interested in seeing those benchmarks.

Evelyn Honea: Each year, we do compare ourselves to 12 other cities that look and feel like Springfield and we also compare to other cities in Missouri. City of Springfield is a low taxing city and we have expectations that match a low-tax city. (Will supply benchmarks to group.)

Rowe: We are not able to maintain our force. We're losing officers, training new ones take 40+ weeks and is expensive. This is a national problem. Not sure if even increasing pay would attract new people to law enforcement.

Q: How do we know what our citizens demand of city and county govt.?

Rowe: Our survey does measure that. Also, voter response to tax issues shows commitment to funding. But it's hard to measure. People are unhappy when services are cut in their neighborhoods.

Evelyn: Response times are a benchmark. People expect an officer to respond fast. If they don't meet expectations, we hear about it.

Q: One problem this group faces is, you're not the first department with critical unmet needs. Leaders say that there are needs, they are going to cost money, and then the tax doesn't pass. I think one factor is, there is a sentiment that there really is enough money, it's just not being used properly. Every campaign runs on "cutting waste." But until we can convince the voters that no more can be cut, there's the belief there really is enough money, if they use it wisely.

Q: Only when families are impacted by a crime do they care about the system. Until then, you feel safe. We expect services, but until something is experienced and service is lost, it's difficult to have sympathy for the needs. I think that's one reason they put this group together, to hear many points of view. To say, we've seen it. We hope we can lend some assistance to that communication.

Q: What about combining police and Sheriff? There is a core of basic values that both departments have. Can you combine parts, like combined training? Is that worth looking into?

Rowe: The standards here in the city are very high, and I would not suggest we reduce our training standards. We cannot cut valuable things. We're dealing with lives. A police officer hasn't lost his life in Springfield since 1930s and I attribute that to training. That's not to say Sheriff's department standards are lacking. Sheriff's training is from a different source, more focused on state statutes. Our focus is on city statutes. There are some classes we can share, and we open those up to other agencies. The Police Training facility, we are trying to locate in the old airport terminal. Once we get there, if we get there, we hope to combine more services.

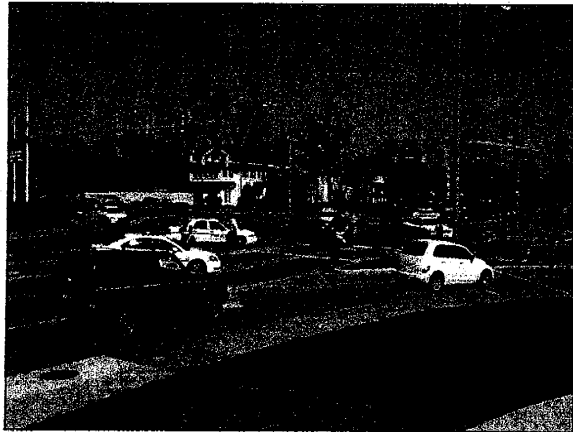
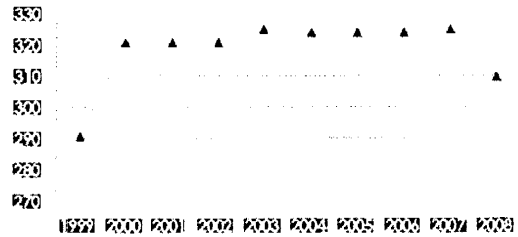
Meeting adjourned 8:50 a.m. Tours- small groups- were given afterward.

Minutes taken by Jenny Edwards

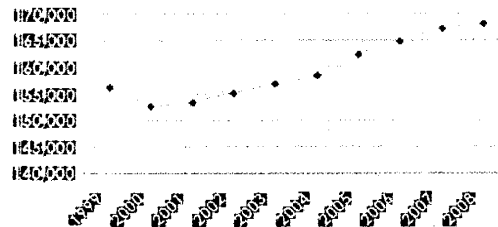
Springfield Police Department Law Enforcements Needs July 2008



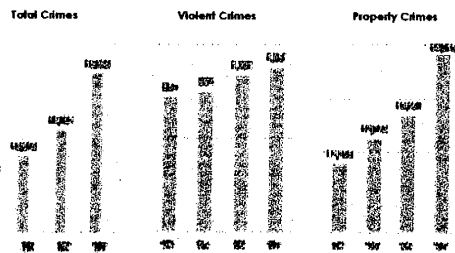
Authorized Sworn Officers



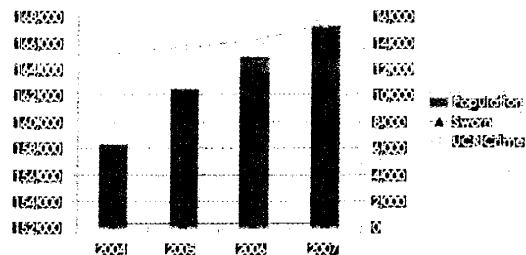
Population Growth (Estimated by Planning & Development 2001-2008)

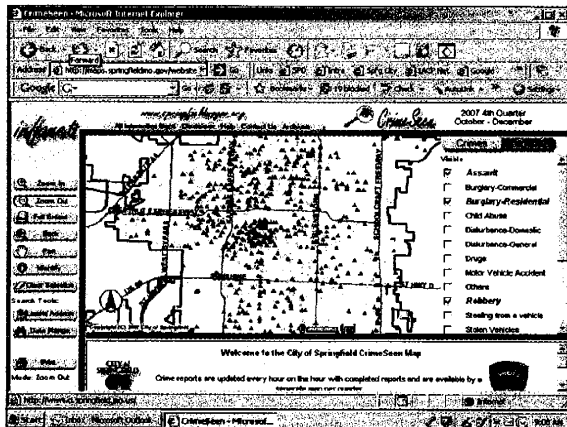


Uniform Crime Reports

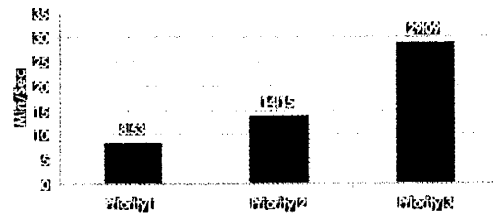


Population Growth Compared to Sworn Officers & UCR Crime



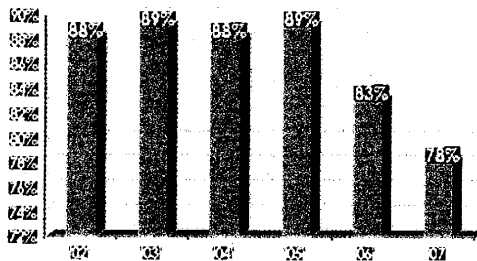


Priority 1,2 & 3 Response Times 2007

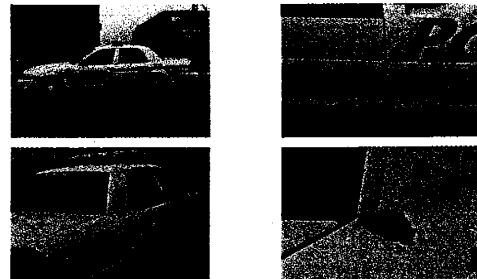


Citizens Survey 2002-2007

Overall, do you feel the police are serving the community's needs?



High Mileage Patrol Vehicles Overdue for Replacement



Unfunded Police Needs

- Police Officers
 - Civilian Employees
 - Records Management System
 - Equipment
- (Estimated cost \$6,000,000 for officers & civilian employees, \$1,000,000 to replace the Records Management System, and \$1,000,000 for equipment. Total of \$8,000,000)

Springfield Police Department Law Enforcements Needs

July 2008



Personnel & Capital

#	Personnel	Cost	Total
105	Sworn Officers		5,240,754
36	Civilians		1,176,458
141			6,417,212
	Capital		
62	Vehicles		2,294,000
	Miscellaneous Equipment		1,488,048
42	Workstations		241,462
	Construction		600,000
			4,623,510
	Total Personnel & Capital		11,040,722

Safety & Justice Roundtable
Criminal Justice Coordinating Committee
Joint Meeting
Oct. 9, 2008, 12 p.m.
Springfield-Greene County Office of Emergency Management, Media Room
833 Boonville Ave., Springfield, Mo.

AGENDA

Introductions — Presiding Commissioner Dave Coonrod

Charge of Safety and Justice Roundtable — Commissioners Harold Bengsch and Roseann Bentley

The Safety & Justice Roundtable is charged with developing a comprehensive understanding of the community's criminal justice system through studying the interconnectivity of all departments and offices within that system, identifying and prioritizing needs within the system and recommending solutions to address those needs. The Roundtable will coordinate with the public information offices of the City of Springfield and Greene County in posting meeting schedules and agendas, as well as fulfilling requests for documents and speakers, keeping minutes and preparing the final report to be presented to the Greene County Commission and mayors of Springfield and Greene County municipalities.

Reoccurring topics of interest and related questions — SJR Co-Chair Jean Twitty

- a. Interoperability of Records Management Systems within Sheriff's Department, Police Department, Jail and Prosecutor.
- b. The Jail Booking process:
 - i. How much time process takes officer off streets
 - ii. "Book & Release"
 - iii. 24-hour holds
- c. Combining training, equipment and services within Police and Sheriff's Departments
- d. Failure to appear rates- compare bonded offenders with those involved in Pre-Trial release.
- e. Expediting the courts process
 - i. Utilizing visiting judges
 - ii. Temporary courtrooms
- f. Public Defender's Office case reduction
- g. Employee Surveys- may SJR survey Law Enforcement and Criminal Justice employees?
- h. Other

Safety & Justice Roundtable
Criminal Justice Coordinating Committee
Joint Meeting
Oct. 9, 2008, 12 p.m.
Springfield-Greene County Office of Emergency Management, Media Room
833 Boonville Ave., Springfield, Mo.

MINUTES

Roundtable members present: Bernie McCarthy, Jean Twitty, Jill Elsey-Stoner, Bob Cirtin, Brad Stokes, Nate Quinn, John Crow, George Templeton, Mark Skrade, Matt O'Reilly.

Roundtable Members absent: Ron Baird, Jim Cook, John Holstein, Steve Ijames, Yolanda Lorge, Stephanie Montgomery, Gerry Pool, Robert Spence.

Others present: Presiding Commissioner Dave Coonrod, Chief Deputy Jim Arnott, Sheriff Jack Merritt, Chief Juvenile Officer Perry Epperly, Circuit Clerk Steve Helms, Bobby Linton- Pre-trial Services, Courts Administrator Jerry Moyer, Judge Dan Conklin, Judge Mark Powell, Commissioner Roseann Bentley, City Manager Greg Burris, County Administrator Tim Smith, Dirk VanderHart- News-Leader, Jenny Edwards- Greene County PIO, Mike Brothers-Springfield PIO, Jess Kerr- Greene County Information Services Director.

Dave Coonrod: Welcome, Pizza is from Commissioners, not taxpayers.

Self-introductions

Dave Coonrod: SJR has made the rounds, visited (read list of SJR's study topics)

Jean Twitty: Thanks to everyone here today, it's been an interesting tour of departments. When we had a focus group we tried to look at reoccurring issues, ask why is it this way, what keeps it from working better. The list (agenda) you see is in no particular order.

We should skip item C (combining sheriff and police functions) until after sheriff's election.

Item A- the inability of the records management systems to work with each other. We keep running into this. How can that be worked toward, because this is where we're seeing a possibility of improving the system. Until we get past communication points, the rest seems moot. Sheriff, what keeps us from making our records meld?

Sheriff Merritt: We're in the process of getting a new Records Management System (RMS.) Previous system was antique, and it's been a combination of several sources to get us the funding for the new system. We did combine our communications systems (Radio) and we've benefited from that. We have felt that we need to combine RMS. The city's system is getting to the point where it's dangerous (outdated.) Our system is available to other municipalities in the county, and we were blessed to get grants for mobile data units in our cars and other municipalities- not Springfield. As part of the comm. Systems, the 911 center is able to communicate with those cars through the mobile data units. I hope they soon we will have them tied into our system, where we will have can look up anyone.

Jean Twitty: When does city get a new system?

Greg Burris: it's a question of money. It may make sense to have two different systems that have access across, rather than a single system throughout. It may not make sense to use the system. I've been told informally that the needs are unique, they may not need the same system.

Sheriff: Statewide, we are tying the systems together. The criminal element is so mobile and moving in to Springfield. The systems really do need to talk to each other.

Greg Burris: For us it's just a matter of finding the money, and we won't have it until after we solve the pension issue.

Roseann Bentley: There has been some problem with booking taking so long- if we had one system, all the forms would be standardized—wouldn't they?

Jess Kerr: Bookings are pretty much standardized, across the board. They're all using our booking system.

Matt O'Reilly: Is the county running out of money on its new system?

Sheriff: No, we're implementing it now. Not all aspects are running yet.

Matt O'Reilly: Contracted with specialists?

Sheriff: We are working with BIS

Matt O'Reilly: Making two systems talk together is expensive, requires custom programming. It would be crazy to not try to implement the same system—its difficult to see that there would be enough unique needs to keep them separate. If the systems are the same you have economies of scale.

Dave Coonrod: The 800 Mhz Radio system have really helped us. Jess, can tell us more about continuity of the systems.

Jean Twitty: The SJR is looking toward the realistic approach, we need to know if there is a willingness to make it happen. It would be helpful to know, as you move forward, what's happening to make them integrated — if at all. This committee sees this as a huge stumbling block to becoming more efficient. People will buy into it if its warranted and needed and if it will make you all more efficient.

Sheriff: Soon we will be able to transmit all our records to the prosecutor electronically, paperless. That's what our system is building up to.

Greg Burris: We'll commit to looking into the feasibility of sharing a system. I don't know if a feasibility analysis has been conducted.

Tim Smith: I have strong confidence that they city and county will work together. We need to get beyond the sheriff vs. police, also discuss the jail, prosecutor.

Mark Skrade: I'd like to see a list of a foundations system, whether it's within prosecutor, Pre-trial- who does your system talk to? (wants to see a diagram of system and information flow)

Sheriff: It's all in Jess's shop, including the municipalities. Interconnectivity is being built right now. Office of State Court Administrator (OSCA) is not going to let us have any attachment to them or them to us.

State Helms: The only way to get info from OSCA is through a third party.

Judge Conklin: We did NOT want to go to JIS.

Jerry Moyer: The process is in place to transfer data from Sheriff to PS- we have a system in place ready to go that transfers info from the PA to the courts.

Jess Kerr: We all talk to each other, even the city. We're all basically on one network.

Mark Skrade: I'm just a visual person, I need to see it to understand it.

Bob Curtin: I took away a sense of urgency with the police's system- if it crashes it could be a real issue. That should be a priority.

Jill Elsey-Stoner: Are there grants?

Greg Burris: Don't know yet.

Jean Twitty: This is a real topic of interest and this committee would be interested to know what developments come up.

Item B- Jail booking process- this may be part of what we've just been talking about.

Jim Arnott: Average it take 20 minutes to come in and have an officer back on the street. If it's Thursday or Friday night, it may take longer.

Sheriff: We had been using the old system. Not the new system.

Jean Twitty: They talked about double entries at the last meeting (with Police Chief).

Sheriff: It's because there are two separate systems. It shouldn't take much longer.

Jim Arnott: Our deputies can fill out their paperwork in their car, be in and out (of jail) quickly. Springfield officers don't have that system in their car, so they fill it out in terminals inside the jail. If you have repeat customers, it automatically fills in much of the form.

Matt O'Reilly: City officers have to fill out and city and county form?

Jim Arnott: I don't know what all city needs for a report.

Matt O'Reilly: We hear the prisoners are released while paperwork is being completed.

Sheriff: This galls me pretty bad. We have a Kalmanoff report and from that, we established Book & Release. A case that's not going to be helped immediately, we release them within 24 hours. There's no reason to book them in, unless an officer checks a box on the form. Our average (population) is running 570 and it keeps building. We are staffed for 450 prisoners and it's such a desperate situation, if we have to take someone to the hospital, we have to call an

officer in off the road. That's a detriment to responding to service calls- it may be an hour, it may be 3 days. Book & Release- it's the choice of the arresting officer if they are to be held 24 hours or not. We're not going to release anyone who is violent. But we all have to comply and we all contributed on making the decision on who would be booked and released and who wouldn't. We have some who post a bond and are out, and may be rearrested.

Harold Bengsch: Short of violent crime, it is the arresting officers decision on whether that person is booked and release, no one else?

Sheriff: Yes. If he needs to be held for an interview with a detective, or if he needs to wait until charges are files, we'll hold them. But if we're waiting for a drug test that takes several months, there's no reason to book them in for 24 hours then release them.

Judge Conklin: My son is in the bail bond business, but I have nothing to do with that. When John (Crow) was prosecutor, and someone stole a car and came in, what happened?

John Crow: we charged them.

Judge Conklin: We're not trying to get charges filed. If you deal with a case right then, they you don't do it as often. We're bringing in people that are not ready to charge. They need to be either charged or bonded.

Sheriff: They do have a prosecutor on call all the time, but they're not going to charge until they get a report.

Jim Arnott: That's the problem- when an officer brings someone in, that report never makes it to the prosecutor.

Judge Conklin: The real problem is the overcrowding of the jail. The new system will tell us what we can do to improve the system. More than half the people charged with crimes in this county are at large. We have to deal with it at some point.

Matt O'Reilly: It seems there needs to be a backflow-preventer here. Kalmanoff suggested moving through the courts system. You can't move people out of the jail fast enough. We need more courtrooms and more judges.

Judge Powell: This problem is going to get worse. We need more prosecutors and judges. All I see is a delay in people hiring an attorney, because now the public defender isn't going to take their cases.

Jean Twitty: There are some things that are becoming pretty evident, and it's helpful for us to see this.

Dave Coonrod: Are you saying there's no fat to cut?

Matt O'Reilly: I don't see any.

Jill Elsey-Stoner: I don't see any, but we need to justify to taxpayers this. Show them what cuts need to be made in service.

Sheriff: This is consistent throughout the state and county- there is overcrowding in jails. The situation we need to avoid is having a federal court telling us how to run our jail.

Jean Twitty: In this area, we like local control.

Matt O'Reilly: There's adding efficiency and there's adding capacity. Efficiency is good right now. We say in climbing, you're only as strong as your weakest link. But we have to be fair in saying, there's enough police officers if they're kept in jail and not released. We need to move things more quickly through the court system. A little capacity needs to be added to the jail and more efficiency to the rest of the system. There's going to be some pressure released before we can add tools for efficiency.

Roseann Bentley: Missouri corrections have benefited from paying attention to how to be re-released and reentering society. They can make a small but significant difference in jail population if we keep people from coming back to jail.

John Crow: I assume felony cases are all tried by circuit court. How many divisions conduct those?

Judge Conklin- 2 out of 5. Basically the same as when you were doing it.

Crow: (When he was on the bench) The 4 circuit judges, at the start of each year, would sit down with a calender and each have a week each month that we tried jury cases. We each maintained our own docket of cases. So we had about 40 weeks of jury cases a year. Would it be helpful if more than 2 divisions of court had jury trials, so you could have a jury trial going on at all times?

Judge Conklin: Yes. The fact is we still, have 4 circuit judges, the 5th is juvenile. Two judges do civil cases. I try 80 jury trials from mid 2005, sir. That averages 2 per month. Circuit and criminal court set aside 2 weeks a month for jury trials. They have twice as many jury weeks as you had years ago, and it's not nearly enough.

John Crow: That's the same number of weeks.

Judge Conklin: the civil backlog is greater that the criminal backlog.

John Crow: I understand that, but the people are not in danger of people awaiting civil trial.

Judge Conklin: We are reorganizing at the end of the year and we would be utilizing visiting judges.

Bob Cirtin: would grand juries expedite this?

All: no. They don't resolve cases.

Judge Conklin: The problem is we have the same number of circuit judges we had in 1978.

Jean Twitty: After that meeting, could this committee get a report about the reorganization?

Judge Conklin: I suppose so.

Judge Powell: One issue is, I wasn't comfortable with the change to 2 and 2. I thought all 4 divisions ought to be doing civil and criminal. But the issue is scheduling the number of cases we have.

John Crow: Let the visiting judges do the civil stuff and the judges on the ground start grinding away the criminal caseload.

Dave Coonrod: It occurs to me that perhaps the SBJ would want to make available the former judges to have a dialogue with the sitting judges. With the dialogue here, we could spend a couple of hours talking about it.

Judge Conklin: and we need everyone present too, because I don't speak for all the judges.

Jean Twitty: If we could make this dialogue happen, we'll take that up. We're not going to make it through this agenda. (Moved to Public Defender)

Judge Conklin: In order for us to deal with the public defender, we have to threaten jail. We will have a worse backlog that we've had. The only thing we have to offer in the way of an incentive to get a lawyer is to threaten jail. We will have people going to jail that wouldn't have last year.

Judge Powell: A lady had posted \$10,000 bond a year ago. That excused her from hiring a public defender. She wouldn't hire a lawyer for a year (waiting for an public defender to be appointed to her) I said 'you're going to jail.' Two weeks later she hired an attorney.

Jean Twitty: This has been delightful. Extremely helpful to the Roundtable. We'll have many conversations subsequent to this.

Judge Conklin: The whole system is doing a wonderful job at what we have to work with. I hope this group is seeing that.

Dave Coonrod: I'd suggest doing this again, in several weeks.

Brad Stokes: I'm very disappointed that the police chief and the PA couldn't be here. It's vitally important.

Jean Twitty: And we'd like the opportunity to get the PA and Pub Defender together too. Thanks for being here today. We'll have another meeting of this type in a month.

(Next meeting set for Nov. 13, 11:30 a.m. Canceled Oct. 15 and rescheduled to Nov. 19)

Minutes taken by Jenny Edwards

Safety & Justice Roundtable, Criminal Justice Coordinating Committee
Joint Meeting
Nov. 19, 2008, 7:30 a.m.
Springfield-Greene County Library, Midtown Carnegie Branch
397 E. Central St. Springfield, Mo.

AGENDA

1. Welcome and Introductions — Presiding Commissioner Dave Coonrod
2. Review of SJR Charge — Commissioners Dave Coonrod, Harold Bengsch and Roseann Bentley

The Safety & Justice Roundtable is charged with developing a comprehensive understanding of the community's criminal justice system through studying the interconnectivity of all departments and offices within that system, identifying and prioritizing needs within the system and recommending solutions to address those needs. The Roundtable will coordinate with the public information offices of the City of Springfield and Greene County in posting meeting schedules and agendas, as well as fulfilling requests for documents and speakers, keeping minutes and preparing the final report to be presented to the Greene County Commission and mayors of Springfield and Greene County municipalities.

3. Documents for the Roundtable — Jenny Edwards
4. Reoccurring topics of interest and related questions — SJR Co-Chairs Jean Twitty and Robert Spence
 - a. Interoperability of Records Management Systems within Sheriff's Department, Police Department, Jail and Prosecutor
 - i. Update on study in progress- Greg Burris
 - ii. Update on mapping flow chart for arrest/jail/court records- Tim Smith
 - b. Combining training, equipment and services within Police and Sheriff's Departments
 - c. Expediting the courts process
 - i. Update on judges' schedules and case management- Judge Conklin
 - ii. Expediting prisoners awaiting trial more than one year- Judge Conklin
 - iii. Utilizing visiting judges
 - iv. Temporary courtrooms
 - d. Jail Issues:
 - i. Length of time booking process takes officers off streets
 - ii. Book & Release and 24-hour holds
 - iii. Jail operations and jail population control measures utilized in Jackson County, Mo. and Sedgwick County, Ks. — Chief Deputy Jim Arnott 24-hour holds "Book & Release"
 - e. Juvenile Office:
 - i. Identify greatest needs within Juvenile- Perry Epperly, Chief Juvenile Officer
 - f. Other
5. Next meeting date: Dec. 17, 2008, location to be announced.

**Safety & Justice Roundtable/Criminal Justice Coordinating Committee
JOINT MEETING
NOV. 19, 2008
Midtown Library**

SJR Members Present: Nate Quinn, Steve Ijames, John Crow, Jim Cook, Mark Skrade, Matt O'Reilly, George Templeton, Robert Spence, Jean Twitty, Jill Elsey-Stoner, Stephanie Montgomery, Brad Stokes, Ron Baird, Bernie McCarthy, Bob Curtin.

Members Absent: John Holstein, Yolanda Lorge, Gerry Pool.

Other Present: Jenny Edwards, Greene Co. PIO; Mike Brothers, City PIO; Jerry Moyer, Greene Co. Courts Administrator; Jeff Reinold, Greene Co. Director of Administration; Kevin Routh, SPD; Collin Quigley, City Manager's Office; Lynn Rowe, Springfield Police Chief; Ron Hartman, SPD; Don Clark, SPD; Sherry Royal, SPD; Sue Schofield, SPD; Jeff Coiner, City IS; Jess Kerr, Greene Co. IS; Jack Merritt, Greene County Sheriff; Harold Bengsch, Greene Co. Commissioner; Mark Powell, 31st Circuit Associate Judge; Greg Burris, City Manager; Tim Smith, Greene Co. Administrator, Steve Helms, Greene Co. Circuit Clerk; Dan Conklin, 31st Circuit Presiding Judge; Darrell Moore, Greene Co. Prosecutor; Perry Epperly, Greene Co. Chief Juvenile Officer; Bobby Linton, Greene Co. Pre-trial Services; Roseann Bentley, Greene Co. Commissioner; Phil Corcoran, GCSD; Chris Coulter, Greene Co. Resource Mgmt.; Dave Coonrod, Greene Co. Commissioner.

1. Robert Spence- Welcome, intros,

(Self-introductions)

2. Harold Bengsch- Welcome, review of SJR Charge

3. Jenny Edwards- reviewed documents presented to Roundtable members.

4. Jean Twitty- Last month's conversation was probably the best that we've had. Topic of interest A (combining Records Management Systems of SPD, GCSD), since last month there has been some discussion, Greg Burris will give us an update on that.

4a. Greg Burris- We did meet with SPD, IS staff from City, County, Sheriff's Dept. We thought we really can't answer this question until we see a demo of the county's system. Can we share a RMS? The demo will occur soon, we hope to have a report by the next meeting.

Jean- Tim, there was a flow chart?

Tim- We have a barely started flow chart, mapping out the criminal justice process. Everything is interconnected and it is fascinating to see how it all works together. We just have a start, we'll have it for you at the next meeting.

Jean- That would help the discussion at the next meeting. We're looking toward a January or February wrap-up, so would it be possible next month?

Tim- Yes.

Jean- There were a lot of questions that came from last month's discussion. Are there any follow-up questions on this? I think a lot has happened,

Greg- Last time I had indicated that the cost of replacing the RMS was \$300,000, and it's not. It's much more than that, close to \$1 million.

Chief Lynn Rowe- We could share that the State of Missouri has funded a system called MoDEX- Missouri Data Exchange, a system that will interconnect different RMSs and systems that don't talk to each other. We are plugged in and running. That system puts us up where info could be shared. I don't know about the sheriff.

Sheriff Jack Merritt- We've made a commitment on that.

Jean- When we talk about "can be shared," everyone has proprietary data that they don't want to share- how does IT/IS accommodate that?

Chief- There are certain kinds of info that can be shared.

Sheriff- The only restricted info is Juvenile info. Other than that, anything that departments want to share can be shared. It's up to each agency to decide what to share.

Jean- there's always the assumption that it will be shared.

Question- what the cost of the MoDEX system?

Chief- nothing. Funding from Federal govt. Staff time investment is all.

Harold Bengsch- Jess, I know that we have recently interconnected with the state (CJIS-JIS.) Can you share with this group the issue that we send info up but they don't send info back?

Sheriff- That's a separate system. MoDEX is just a collection of data- every agency has to have an RMS, but they can all connect to MoDEX. CJIS is a different animal.

Harold- But am I mistaken, that we send data up to the state and can't get it back?

Jess- Correct, Commissioner.

Harold – The county has sent the sheriff's data to the MoDEX system?

Jess- Yes, but there's a lot of staff time involved. On the OSCA issues, (Circuit Clerk) Steve Helms can tell you the difficulties we've have sharing data with the state.

Steve Helms- We can access all the data for our uses, it has to do with tying into the county's RMS (that) OSCA doesn't allow access to the JIS system. We have full access but it has to do with whether we want to use that system for manipulation and storage of our files. The security level on cases changes, the only way the state will allow you is to download the data to a 3rd location then upload it. You can't access it directly.

Harold- So what the chief and sheriff are talking about doesn't impact you but, but your system does impact Darrell (Moore, Greene County Prosecutor)?

Darrell Moore- In an ideal system, I receive info from sheriff and police- we cannot do that now. In an ideal world, a judge could review info at home, without having to see a prosecutor in their presence. They'd just have to attach an electronic signature, then it's entered immediately into the court system. The problem is, we aren't at the point, and OSCA tells us we won't be able to do that for years. We cannot look at documents electronically. Right now, all we can do is pull up the name, DOB, SS# and the charge code, but that's all we're sent. We still have to walk over to file a paper document to file a charge. All we get back from OSCA is a notification that it's been filed. It's very primitive, but it's not a local barrier. It's a state barrier, created by OSCA. We can't accomplish anything.

Harold- The point I'm trying to make is, this (MoDEX) is great, and it's going to happen. But it doesn't take care of an important component of the system that is a barrier to Darrell.

Steve Helms- The state tells me they're going to do trials next year. I think that's optimistic.

Harold- Pardon me for interrupting.

Jean- This helps us understand the difficulty of interconnectivity. But who is OSCA?

Steve Helms- Office of State Court Administrator, appointed by the Chief Justice of the state.

Judge Dan Conklin- I have a hand-out that might be helpful here.

Spence- What are the barriers?

Darrell- I don't know. I know the technology is there. It's just whether or not you want to do it and we want to do it, but the barrier is the state telling us they can't do it- OSCA.

Judge Conklin- OSCA is Greg Leneir and Gary Wayne and an office of 100 in Jeff City.

Jean- Is it a matter of not wanting to change?

Darrell- You accomplish things with priority. It appears to me that it's not a priority for them to have a full data exchange. They are more concerned about gathering data for themselves. They've spent millions on this system. Unless the head of the organization says it is a priority, it's not going to happen.

Judge Mark Powell- they are a statewide agency.

Tim- From a layman's perspective... everyone from the Circuit Clerk is an employee of the state. We have two totally different computer systems: OSCA and Greene County. OSCA, I take it, has a security concern. Greene County had a very good system but it wasn't OSCA's system, and they're the boss. We have to adopt their system and not we have to get over the barriers within their system. We were the last in the state to go to their system.

Steve Helms- Updates will be coming out in a few years. We can't do anything until we know what they're doing, so we don't throw resources down the tubes.

Jean- We'll come back to this issue.

Matt O'Reilly- When OSCA makes a change, do they change it themselves, or do they send people down, and who pays?

Steve Helms- OSCA pays –they come down for training and updates. For the most part, they are good people doing good things, but the system is outdated. The same people who are making the new system have the old system, so the conversion will be minimal. They provide training.

Matt- So the network sits on the county system?

Steve Helms- On my desktop, I have the county and the state- they're two separate systems.

Jess Kerr, Greene County Info Systems Director- They are two separate servers, but it is the same network- we run the cable and lines. It is the same network. Connectivity wise, everything in the room can talk to each other.

Matt- Are software updates a capital investment?

Steve- They (state) pay for it.

Roseann- When I was in the Senate, (name inaudible) would be angry with the state's new technology, because it cost so much and had a lot of kinks to work out. There was a lot of pressure on me as a senator to bring Greene Co on the system. But our system was better. We finally had to capitulate, but it's been a source of angst for years.

Judge Conklin- Many counties had no system in place at all, at the time. But for those of us who already had a system, it was a step backward. But for the majority of the state it was a step forward.

Brad Stokes- Who drives OSCA? Do we have no input?

Judge Powell- Missouri Supreme Court.

Judge Conklin- (passed out documents) The state is organized by county and by circuit. We have 115 counties, 45 circuits. The Supreme Court has 7 members. The Chief Justice takes care of OSCA. They have about 100 employees, they take care of their employees and budget. They work for the Chief Justice, who changes every two years.

Jean Twitty- Do they care?

Judge Conklin- Each judge is autonomous and the state court doesn't tell the judges what to do. Nor do I. The State Court is sort of a loose organization, they are unable to decide what judges do on a daily basis. They take care of payroll, retirement, discipline.

Darrell Moore- The timeline for updating OSCA is 4-5 years. The state has committed to that, but whether they can or not, I don't know. I know it can be done but it frustrates me that we can't do it.

Steve Helms- We don't have the money at the state level. They have limited resources. Courts are a very small portion of the state budget.

Judge Conklin - Once you give up your local control and send it off to some bureaucracy, they're in charge and you can't tell them what to do.

Steve Ijames- Are we really talking about two issues- this is an important issue, but this is not a city-county discussion. Perhaps we need to take a committee member and study this, but these people we can't get together again. We're losing the RMS discussion.

Jean Twitty - We want to move on.

John Crow- There is an error in the first page- 32 appellate judges, not courts.

Jean Twitty - We want to move on.

Steve Ijames- What is the hold-up on the RMS?

Jess Kerr- We could share RMS systems, but is it the best thing to do? We don't know. We have different needs at city and county. We could share the system, yes. That's where we're going with the demo, also includes all the outlying cities in Greene County. We don't know if that would be better (to combine.)

Jeff Coiner- We have a different process at the SPD than Sheriff's Dept., and once you combine, you do give up some control. We've got to make some decision, and part of that is the demo.

Steve Ijames- Cost?

Jeff- \$500 per user, plus other costs

Chief Rowe- Back when the sheriff chose his RMS, that was a system that was yet to be developed, and I couldn't accept that. Our needs are well known to us. Our system was 10 years old. It's now way too old and we're in the market for another system, but until we see the demo, we can't make a decision. We needed a new system 3 years ago and we have no back-up system if it fails. We do have an opportunity to bid on the state's system.

Spence- If you hired this company you've looked at, you could talk with the Highway Patrol?

Chief- Yes.

Matt O'Reilly- Our question was, how much time could we save if we didn't have two systems? The city and county both want to upgrade their systems, but we'll still have the same problem. It seems to me that some major economies of scale could be had if there was one system and not two. Setting a priority for merging the systems would make a whole lot of sense. Is that going to answer our needs?

Jeff Coiner- If we take on a system that doesn't meet our needs, that doesn't solve the problem. We need to see the demo.

Jess Kerr- The sheriff's system- we did what we could afford. We had a grant for the sheriff and RMS package combined together. A lot of police RMSs don't have a jail package. We were on an outdated platform. This is what we could afford. We knew it was a brand-new package- we're the first system in the country on that system and we got a lot of customization out of it. It has

worked well for us, for what we could afford. It is a work in progress. We're also working on integrating our software with Darrell Moore's office.

Tim Smith- Carpel is the program in the Prosecutor's Office. The RMS system is different.

Harold Bengsch- Matt asked a very salient question: is anything moving toward working together? And the answer is yes, but slowly. Speaking from a Homeland Security perspective, Homeland Security wants to merge systems all over the country (state-wide systems). Many places just don't want to give their systems up. But certainly that's where it's headed.

Chief Rowe- Commissioner, you're talking about MoDEX.

Harold Bengsch- Yes.

Jean- Item 4b- combining training, services and equipment within sheriff and police. That is a big topic, but we're going to move to Item 4c- expediting court process.

4c. Judge Conklin- The four Circuit Judges assigned to civil and felony (criminal) cases each specialize in one or the other. The fifth Circuit Judge is the Juvenile (court) judge. We've had it both ways, when all judges do everything, or if we specialize.

We are trying to adjust our dockets to expedite the jail population, "the Rocket Docket." (Referred to chart in package- Court Activity 31st Circuit, comparing 2000 to 2008) To move from civil to criminal is a problem, because we are behind in both areas. The vast majority of felonies come in on the Associate Circuit side and go out the Circuit side. We have approximately twice as much felonies filed now compared to 2000. Progress is being made on both felony and civil backlogs. We have decided to assign more felony workload to the Associate Court divisions.

Kalmanoff study said we need to reduce the number of misdemeanor cases, and now we have less misdemeanor cases. We are now asking the Associate Judges, who make less than Circuit judges, to step up and do Circuit work. Our plan is to incorporate the Associates to deal with the jail population, to work with the oldest cases in the jail. Those dockets have gone stale.

In addition, the (Missouri) Supreme Court has opted to expand the pairing system, taking counties that have too many judges to Circuits that don't have enough. We are more than 6 judges short in Greene Co., and that would mean we need three additional visiting judges to come here. But we have no place to put them. We have 405 judges state-wide. Some circuits and counties have an excess. We do have a long-range plan to change that organization, so you can relocate those offices where population is diminished and transfer them into circuits that have more need. But right now we don't have any courtroom space for visiting judges. We're transferring the Child Support Enforcement arm of the Prosecutor's office off campus. It's been difficult, in part because the move is funded by the state. We should be in there by March. By then our need may have increased for judges. The misdemeanors we're not filing doesn't mean they don't exist, and I see no reduction in felony filings. Some misdemeanors are being diverted to municipal courts.

Darrell Moore- A large part of the diversion of misdemeanors is the diversion program, public-service programs, things that still require a lot of work in our office. Those 6,000 (annual) misdemeanor cases haven't just disappeared. They're going to Muni Court and other places. We're still holding them accountable. But we are facing difficult decisions. For example, we used to file a mandatory charge on domestic assault cases, now we don't. But we won't file certain charges- for example, Pay Day loans. I refuse to prosecute bad checks made out to payday loan

companies. I view Pay Day loans as a scourge and immoral. I have to prioritize my time for people who are out shooting people and not prosecute people ripping off loan sharks.

Spence: Judge Conklin, have you set any goals for working through the case backlog?

Judge Conklin: Not formally. I can not tell judges which cases to work on. They do their own as they wish, subject to the will of the people. I can show them what to do. My predecessors have done a pretty good job. While Darrell has reduced misdemeanor filings, he has increased felony filings. The trend is going up and I see no reason for it to stop. But we are attempting to expedite the cases that have been waiting in jail the longest, we're utilizing the Rocket Docket. We have sent a budget to the state that would probably provide to us another judge or commissioner, paid by court costs rather than state funding. It appears to me that by July we'll have another commissioner, that's why we're looking at providing two more courtrooms.

Jill Elsey-Stoner- If you expedite cases, what is the backlash for other offices? Do they have personnel to move them or is it another bottleneck?

Judge Conklin- We have suffered setbacks, but we're trying to progress as best we can. We're involving the Bar Assn. to represent defendants. We're progressing slowly. Our request is that the Bar provide us some pro bono representation. The Bar has done a pretty good job. We have a mentor group providing assistance to the volunteer group (helps with specialization not in criminal cases.)

Jerry Moyer- When a judge determines a defendant needs representation, we contact the Bar Association to assign an attorney, and start coordinating them to prepare to appear in court to address.

Darrell Moore- In any given week we can only prepare 20 felony jury trials for trial. The reality is most of these plea guilty and don't go to jury trial. But even if we have one felony jury trial a week, we can only prepare 20 felony jury trials in any given week. Once you get the defendant into the box and they realize there is going to be a trial, they tend to plea guilty. I think we can move more cases (to guilt pleas) but we can't try more cases.

Judge Conklin – This is an informal system being tried out by the court administration. We have the added problem of not being able to provide courtrooms and personnel for more jury trials.

Jean- It's wonderful to have all this expertise in this room and this has been very helpful. Obviously were not going to cover this whole agenda.

Next meeting date- Dec. 17. We are looking to start winding down and look toward creating a report. The RMS demo is key to that meeting, also want to meet with juvenile and discuss the jail situation more.

Meeting adjourned 9:17.

Minutes taken by Jenny Edwards

Matt O'Reilly's request for statistics
status- Nov. 19, 2008

-Arrest Rate - Felonies and Msdm's	Felonies: 8,103 (2007) Misdemeanors: 12,632 (2007) additional years- pending
-Cases Tried	chart provided "Disposition of Criminal Cases"
-Avg. Caseload per courtroom	info not available (cases are assigned to judges, not courtrooms) see "Avg. Caseload per judge"
-Avg Caseload per judge (including visitors)	chart provided "Average Caseload"
-Avg Prisoner stay	2.94 days (2007) additional years- pending
-Total prisoner days per year	info not available
-Book and release arrests per year	10,017 (2007) additional years- pending
-24 hold hours arrests	2,937 (2007) additional years- pending
-Public Defender cases per year	chart provided "Public Defender Case Referrals"
-Avg. time to trial - Felonies and Msdm's	chart provided "Average Time to Disposition"
-Conviction vs. Diversion rate (felonies vs. Msdm's)	chart provided "Disposition of Criminal Cases"

GREENE COUNTY COURT STATISTICS

Disposition of Criminal Cases

	FY2004	FY2005	FY2006	FY2007	FY2008
Felony Plea	1671	1328	1608	1583	1619
Felony Court Trial	24	15	16	12	36
Felony Jury Trial	26	19	17	10	9
Felony Dismissed by PA	220	290	186	190	295
Associate Felony Plea	127	122	94	94	123
Associate Felony Preliminary HR	218	270	307	330	370
Associate Felony W/O Preliminary	1170	1489	1742	1729	1787
Associate Felony Dismissed PA	244	335	228	228	253
Misdemeanor Plea	6021	5753	4635	4212	3842
Misdemeanor Court Trial	95	58	36	36	79
Misdemeanor Jury Trial	3	2	3	0	2
Misdemeanor Dismissed	3466	4177	3793	3713	3234

Public Defender Case Referrals

	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
Felony Cases Represented	971	1158	1463	1476	1485	1861	1712	1727
Misdemeanor Represented	614	814	864	835	886	985	1082	866
Probation Viol. Represented	418	454	548	648	743	747	804	725
All Other Represented	134	123	108	93	129	181	133	169
Total Represented	2137	2549	2983	3052	3243	3774	3731	3487

Average Time to Disposition CR

	FY2004	FY2005	FY2006	FY2007	FY2008
Circuit Felony Cases	202 Days	190 Days	203 Days	208 Days	224 Days
Associate Criminal Cases	131 Days	145 Days	137 Days	136 Days	151 Days

Average Caseload

Average Caseload CY06+CY07	Circuit Felony Plea	Cir. Fel. Court Trial	Cir. Fel. Jury Trial	Total
State average time per case	99 min	710 min	1950 min	
Cases heard by Circuit Judges	2,102 cases	20 cases	22 cases	2,144 cases
Total minutes per judge (2)	104,049 min	7,100 min	21,450 min	132,599 min
Time Used Per Year Per Judge	1,734 hours	118 hours	357 hours	2,209 hours
Average Caseload CY06+CY07	Associate Felony	Associate Misd.	Traffic	Total
State average time per case	34 min	24 min	4 min	
Cases Heard by Ass. Cir. Judges	3,005 cases	8,054 cases	4,566 cases	15,615 cases
Total minutes per judge (2)	5,108 min	96,648 min	9,132 min	110,888 min
Time Used Per Year Per Judge	85 hours	1,611 hours	152 hours	1,848 hours

Judge Conklin Mandat
Nov. 19, 2008 SWR mtg.

State Court Organization

The court system in the state of Missouri is made up of 32 appellate courts, which includes three appellate districts and the Supreme Court. There are 141 circuit Judges, 193 associate circuit judges and 32 commissioners comprising the trial court. The Missouri Constitution provides that 114 counties plus the city of St. Louis each is to have an associate circuit Judge and 45 circuits each must have a circuit judge

The Chief Justice of the Supreme Court is selected every two years by that body as administrative chief on the Missouri court system. Justice Steth is the current Chief Justice of the Missouri court. She is assisted by the office of the state court administration (OSCA). Their duties include personnel matters, retirement matters, financial and payroll, and judicial discipline.

31st Circuit Organization

Greene County, which makes of the entire 31st circuit, has five circuit judges, four associate circuit judges, and five commissioners. One circuit judge is assigned to the juvenile division, two circuit judges are assigned to circuit civil cases and two circuit judges are assigned to circuit criminal division or felony cases. The commissioners are courts of limited jurisdiction in family law, drug court, and probate court.

The associate circuit judges are assigned cases enumerated in Chapter 517 of the Missouri statutes, which includes civil cases involving less than \$25,000 plus they receive all misdemeanor and felony cases initially unless a felony case proceeds by grand jury indictment. Associates hear felony cases at preliminary hearing and if bound over the case is assigned to the circuit criminal divisions for trial or disposition. Misdemeanors are assigned to the Associates until conclusion of the case. Civil cases in excess of \$25,000 at issue are initially assigned to the two civil circuit divisions. Felony cases are initially received by the felony Circuit Court divisions, after grand jury indictment or are received after primary hearings bound over by the associate divisions.

Judicial Assignments

As of January 1, 2009, judges Mountjoy and Holden will be assigned the criminal divisions and judges Conklin and Cordonnier will have the civil divisions. Judge David Jones will be assigned the juvenile division. Currently judges Conklin and Holden are assigned the civil divisions and Mountjoy and Cordonnier the criminal divisions. Judge Holden provides backup assistance to both judges Cordonnier and Mountjoy by hearing their probation violation cases. He also takes criminal case guilty pleas on an informal basis. All circuit and associate circuit judges provide backup to the criminal divisions on a case-by-case basis with emphasis on inmates with a history of long jail stays. Court administrator Jerry Moyer is coordinating the effort.

In addition to their regular assignments, judge Mountjoy has responsibility for the drug court commissioner. Judge Conklin has responsibility for the probate commissioner and duties as presiding judge, which includes the administration of the courts. He is also appointing authority for the assistant circuit clerks, jury personnel, and computer personnel. As of January 1, he will also assume the role of family court administrative judge, which includes responsibility for the three Family Court commissioners.

Duty Judge Roster

Article 5 judges are assigned as "duty judges" for a one-week term. They are on call 24/7 for arrest warrants, search warrants, ex parte orders of protection, or any other judicial function required on an off-duty basis. A judge's duty falls every nine weeks and includes Thursday

morning hearings for full orders of protection. Duty judges are also responsible for review and execution of dissolutions by affidavit without hearing that are filed during his week of duty.

The Judicial Transfer System

The Missouri Supreme Court has created a mandatory visiting judge system. Green County is receiving assistance from three circuits around the state in the form of visiting judges. The county commission is providing an additional courtroom to be utilized by these visiting judges. The project is being accomplished by moving the child support enforcement unit of the prosecutor's office to an off-site location, thereby freeing space for additional courtrooms in the judicial facility. We have established an associate division 25 that will receive 1/5 all the cases originally assigned to the associate divisions. We intend to staff division 25 for at least 45 weeks during calendar 2009. The resulting reduction in caseload for the four resident Associates is to be utilized to reduce jail population. Our stated goal is that felony cases involving offenders having long stays in our jail will replace those cases being now reassigned to division 25. Again, Court administrator Moyer will coordinate this effort.

Future Plans

Review of the attached exhibit indicates our courts have doubled their dispositions of felony cases since the year 2000. The number of felony cases filed continues to exceed the number being disclosed. We remain constrained regarding permissible circuit court reassignments from civil to criminal divisions because of the excessive backlog of civil cases pending since the year 2000. We are however, encouraged by the reduction in misdemeanor filings over the past year. We are therefore compelled to include our associates sitting as circuit judges in the effort to reduce the felony backlog. Our local legislators assure us that additional judges will be provided to the 31st circuit as a result of the recent weighted workload study indicating we are short more than six judges.

Unknown Backlog

The 31st circuit has a backlog of about 17,000 active criminal cases. Since 2005, outstanding unserved warrants has continued to climb at a rate of about 2000 per year and now has reached the point that we have as many outstanding unserved warrants as we have active criminal cases pending. Assuming our county will find this trend unacceptable, a corrective adjustment will result in the courts being faced with 20% more cases to remain even plus the number of cases required to reduce the backlog of outstanding unserved warrants. If we are to process 20% of those outstanding per year, we are faced with operating at 140% of our current capacity for the next five years, without considering the increase in the number of filings.

Conclusion

Continued efforts to put off what should be done today cannot be sustained. Data indicates what the county has already recognized. The need for expansion is inevitable and is being encountered sooner than predicted. Notice of additional Judicial positions will be provided when certain. I would encourage planning for two additional judges for Jan. 1, 2010 in addition to an additional commissioner in July of 2009.

After Arrest Procedure: A Comparison

For more than two decades prior to 2005, the court, sheriff, and prosecutor operated under a procedure that involved the use of probable cause (PC) bonds. Under Missouri law an offender may be held for a maximum of 24 hours after being arrested by an officer having probable cause to believe the individual had committed an offense. A longer hold requires a judge or grand jury issue a warrant. After 2005, "book and release" replaced "book, bond, hold, or release".

To illustrate the procedures a randomly selected recent case involving theft of a stamp collection from an individual's home is presented.

Pre-2005 Procedure

On February 14, 2008 an individual's home was burglarized and a stamp collection stolen (offenders name and the items stolen has been changed). Within a short time officers had Waldo in custody and obtained a confession. Had the arrest been during the 20 years prior to 2005 the case would have proceeded in one of three ways: Waldo's charges would have been filed within the 24 hour hold period or he would be permitted to post a bail bond requiring his appearance when charges were filed. The bond data would have been entered into a database for prosecutor and court use. If no bond was posted or charges filed Waldo would have been released after the 24-hour hold period.

Post 2005 Procedure

In 2005 the PC bond procedure was dismantled in favor of a procedure where only the more violent offenders are held for 24 hours pending charges. **Most other offenders are booked and immediately released. Exceptions may be requested. No PC bonds are accepted.**

In the second-degree burglary example, the case proceeded under the post-2005 procedure. After the February 14, 2008 golf club home burglary, Waldo was booked and released after being arrested and confessing. Eight days later, on February 22, 2008 the officer filed a report with the prosecutor's office. About three months later, on May 18, 2008 the prosecutor's office filed a complaint and requested a \$7,500 bond. The Court issued a warrant and set bond as requested. In late July Waldo was arrested during a traffic stop and remained in jail until August. He is now released on bond awaiting trial.

Notes:

The 1990 Supreme Court case of *In re Conard*, clearly requires probable cause bonds be available during 24 hour holds.

Most other Missouri jurisdictions attempt to file all charges while the offender is being held within 24 hours of arrest. They generally simply hurry and usually don't deal with probable cause bonds.

The clerk responsible for data entry of probable cause bonds indicates she entered about 100 bonds per week before the procedure was dismantled. The database, now no longer available, allowed judges to summon offenders by use of a bond agent paid for by the offender.

Booking officers indicate that prior to 2005, about one half of the offenders were released on bond. The remaining offenders were either charged or released pending charges. During

calendar year 2004 four bond forfeitures were paid by bond agents, meaning all but four offenders were presented to court.

Bond agents advise they now supervise about 40% as many offenders as prior to 2005.

Observations:

Until 2004, the jail generally held all felony and serious misdemeanor (DWI etc.) offenders a minimum of 20 hours. Prosecutors and judges were frequently called during nights and weekends if the 20-hour hold time ran before a business workday began. Pre-2005, the jail booking area was jammed with offenders attempting to make calls to bond agents, friends, and family. In the alternative, immediate incarceration for at least 24 hours was in order.

A report generated by Dr. Alan Kalmanoff following a study of our procedure, concluded that since offenders were going to be eventually released, it made sense to release them earlier rather than later. Suggestions included issuing citations and summons rather than making arrests, and releasing those arrested without bond when possible.

In response to jail overcrowding, a large shortage of detention officers and also citing suggestions of Kalminoff, the "book and release policy" was initiated. Now, only the most serious offenders are processed upon arrest. Those arrested by officers having probable cause to believe the offender had committed less serious felonies or misdemeanors, pay a booking fee and are released.

Data is now available which permits evaluation on this change. The results are far reaching.

What Are The Advantages of Post-2005 Procedures?

Fewer booking officers are required during book and release.

Prosecutors are not generally required to file most charges during off-hours.

Judges are not generally required to approve new charges off-hours.

Arresting officers are not generally required to prepare case reports immediately after arrest of offenders.

There is less traffic and commotion in the jail booking area.

The time required for the initial booking process is decreased.

The number of bond documents processed by jail personnel has been reduced by more than one half.

The elimination of probable cause bonds has also eliminated the need for clerk data entry.

Elimination of 24 hour holds created a short-term reduction in the jail census.

What are the advantages of the pre-2005 system?

Book and hold pending charges or release on bond created an immediate consequence for offender's wrongdoing. The process included "shock jail" as part of the formula for what lay on the horizon for those committing offenses.

The belief of the offender that he faced immediate consequences that could only be delayed by a PC bond played on the mentality of " hooray for today and to hell with tomorrow". The result, large numbers of offenders posted a probable cause bond. (50% of those arrested according to booking officers)

The database of PC bonds permitted bond agent utilization for initial court appearances as well subsequent supervision. By posting a probable cause bond offenders are paying for their own supervision. That number has been reduced by half to two thirds. Those formerly being bonded are now either unsupervised, supervised by taxpayer supported pretrial services, are in jail, or they remain at large in the community as fugitives.

Those on bond are much more likely to appear in court resulting in fewer numbers of warrants. Offenders with active warrants are more likely to commit other offenses while they are fugitives.

When an offender is eventually arrested a second time on a warrant, "book and release" is not available. The offender is held pending a court appearance, frequently greater than 24 hours. The offender is statistically less likely to post bond than during the probable cause period.

The time between the commission of the offense and first appearance before the court has increased dramatically according to trial Court judges.

Those making probable cause bonds are less likely to request or be provided public defenders that are now overburdened and are declining to receive further referrals.

Conclusion

New information is becoming available through the Court's JIS computer system as well as prosecutor and law enforcement computer upgrades. Recognizing that our county cannot provide for all of law enforcement's needs, we must then continue to prioritize. With the data available we are better able to establish our priorities.

In 2000, we had 1907 pending felony cases in our circuit court. Today we have 3697. Based on these figures alone, our jail population should approximate double what it was when the current jail facility opened. Because of efforts of law enforcement, the Kalmanoff study, and the court's continued insistence that we keep in mind the jail population in everything we do, the jail population has been kept down. There is however a price.

By working on jail population reduction law enforcement officers, trained to put people behind bars, are now charged with the responsibility of taking people out of jail. Judges report that no one is in jail they don't want there, however in an effort to cooperate, offenders are being released. The courts have concentrated on reducing jail population by classifying cases where the offenders most likely to be released will come before the court first. The result, the age-old and proven method of first in first out has been replaced. Courts last year disposed of 2085 felony Cases while in the year our jail opened they disposed of 920. We have added an entire department of "pretrial services". We have seen the number of unserved warrants increase to the point that we have as many offenders listed as fugitives as are before the courts. We more often use law enforcement and pretrial services rather than offender paid bond agents to get of offenders to court. Offenders are becoming convinced that we are incapable of dealing with all but the most serious offenses by our telegraphing the idea that jail will not be a part of law enforcement for them. A perceived "revolving door policy" creates a morale issue for law enforcement officers. And last but not least, property crime is on the rise.

Recommendations

Hold offenders the 24 hours permitted by law for the stated purpose of that law. During these first

24 hours the offender having the ability should be permitted to bond. The issue of classification and other pretrial release issues becomes moot for what has historically been about half of the offenders. The offenders that do not bond should be classified by pretrial services immediately such that a recommendation can be made to the court. The arresting officers should create an immediate report of probable cause. If they did not have sufficient information to establish probable cause, they shouldn't have arrested the offender. Supplemental reports may be presented at a later time. The prosecutor should also proceed with filing charges and gain approval by a judge immediately rather than later. The 24-hour hold law is for that purpose. The offender is then ready to be brought before the court for arraignment. Those that bonded will be notified to present themselves directly to the court for arraignment, having been previously booked and an OCN number established. The bond should be continued and pretrial incarceration not required.

Similar procedures are in place in Pittsburgh, PA and Knoxville TN as a result of the recommendations of studies by Dr. Kalmanoff. Pittsburgh has reduced the jail population from 2900 to 2600 according to their Court Administrator. Pennsylvania laws require an offender be presented to a judge within 10 hours. In Knoxville while operating under a Federal court ordered cap, offenders are brought by arresting officers to a "booking judge" within an hour. Bond is set and thereafter the offender is booked. A bond agent is then permitted to make bond with a court date assigned. If no bond is made within 12 to 14 hours, pre-trial release begins a classification process and is taken before the case judge within 24 hours. An "arrest, book and proceed" procedure in Missouri would be less difficult to administer because of our 24-hour charge rule. Also, while immediate presentation to a judge is preferable, it is not required here.

Proceeding with the case once upon initial arrest rather than dealing with an offender a minimum of twice is preferable when one considers that the process must be completed at some point. According to Dr. Kalmanoff, sooner is better than later.

In Dr. Kalmanoff's reports to the cities of Knoxville, Kalamazoo, Salt Lake City, and others, he generally recommends establishing a minimum-security facility and immediate classification of offenders to be housed there. He also frequently recommends off-site booking procedures possibly at the minimum-security facility. Those recommendations should also be considered noting that, according to his report, about 80% of our offenders do not require maximum security. Any transfer of offenders to a minimum-security facility could result in increased revenue generated by housing additional federal prisoners in our secure facility.

GREENE COUNTY SHERIFF - INMATE JURISDICTION BREAKDOWN

November 12, 2008

Current Jail Population as of	NOV-12-08 07:55 AM	Inmates	531
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Distribution of inmates by charge Jurisdiction

			Inmates	Charges
Only	FEDERAL	Pending	72	72
Only	MUNICIPAL	Pending	27	27
Only	MUNI & STATE	Pending	16	49
Only	STATE	Pending	348	559
Only	STATE AND FED	Pending	1	2

Total Pending:	464	709
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Total Inmates with only Sentenced Charges

Inmates	Charges
64	89

**Court Activity 31st Circuit
2000 and 2008 Compared**

Felonies	Filed	Dispo	Pend	years (backlog)
2000	1478	920	1907	2.07
2008	3143	2085	3697	1.76
Change	+113%	+127%	+92%	-18%

Civil	Filed	Dispo	Pend	years (backlog)
2000	1516	1115	2866	2.57
2008	1826	1513	2743	1.81
Change	+20%	+13%	-1%	-40%

Missouri Revised Statutes

Chapter 517 **Procedure Before Certain Associate Circuit Judges** **Section 517.011**

August 28, 2008

Applicability of chapter.

517.011. 1. The provisions of this chapter shall apply to the practice and procedure in civil cases originally filed before associate circuit judges in hearing and determining the following cases or classes of cases:

(1) Except as otherwise provided by law, all civil actions and proceedings for the recovery of money, whether such action be founded upon contract or tort, or upon a bond or undertaking given in pursuance of law in any civil action or proceeding, or for a penalty or forfeiture given by any statute of this state, when the sum demanded, exclusive of interest and costs, does not exceed twenty-five thousand dollars;

(2) All actions against any railroad company in this state, to recover damages for killing or injuring horses, mules, cattle or other animals within their respective counties, without regard to the value of such animals, or the amount claimed for killing or injuring the same;

(3) All cases arising under chapter 213, 272, 302, 303, 388, 429, 430, 444, 482, 521, 533, 534, 535, or 577, RSMo;

(4) In counties of less than seventy thousand inhabitants, when a circuit judge is absent from the county, cases that a circuit judge can hear in chambers except where otherwise provided by law.

2. The provisions of this chapter shall not apply to the practice and procedure before associate circuit judges in hearing and determining cases, except as provided in subsection 1 of this section.

(L. 1985 S.B. 5, et al., A.L. 1986 S.B. 741, A.L. 1988 H.B. 1660, A.L. 1989 S.B. 127, et al., A.L. 1993 S.B. 88 merged with S.B. 180)

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Missouri General Assembly

OSCA Outstanding Warrant Data

Circuit 31 - Greene County				
	Outstanding Warrants	Cases Pending		
Circuit Felony	193	1,599		
Associate Felony	990	1,746		
Circuit Misdemeanor	0	1		
Assoc Misdemeanor	10,613	13,735		
Traffic	28	29		
Municipal Cert/TDN	18	24		
Totals as of February 28, 2007	11,842	17,134	69.1%	(Outstanding Warrants/ Cases Pending)
Totals as of October 31, 2006	11,892	18,458	64.4%	
Totals as of October 31, 2003	7,290	17,186	42.4%	

Outstanding Warrants	6/30/2003	6/30/2004	6/30/2005	6/30/2006	6/30/2007	6/30/2008
Number of O/S Warrants	8613	9972	10948	12475	14163	16723

Agent and the subject is contractual in nature, a civil matter, and is not a case or controversy before the Court in the criminal case where the bond is posted.

Arrest Without Warrant "PC" Bonds

In 1997 the Missouri Supreme Court addressed the issue bail for an arrest without warrant. *In Re Conard*, 944 S.W.2d 191. In that case an individual was on a twenty-hour hold for a domestic violence matter under authority of Section 544.170 RSMo. When the judge told the police chief to release the subject, the chief initially declined indicating the judge lacked authority for such an order. The ensuing dialogue was described by the court as "unfortunate". In the disciplinary action that followed, the court opined that while the call for release was not in proper bail form, it was none the less an "OR" release on bail. Judge Price writes: "Because it [bail] is a constitutional right, it is neither dependent upon, nor may it be limited by state statute or court rule...There is no requirement that an individual be charged with a crime to be entitled to bail. Indeed, it is antithetical to suggest that an individual against whom sufficient evidence exists to support a criminal charge should enjoy greater rights than an individual who may never be charged..."

Some jurisdictions follow the lead of Missouri Court Rule 37.17, which relates to ordinances, by establishing a schedule of bond amounts for arrest without warrants on misdemeanor and felony probable cause holds, (See Exhibits 9&10). Others set bail on a case by case basis (frequently pre-dawn calls from an excited attorney or sheriff sets the tone). And then there are those that take the position that twenty-four hour hold statutes "trump" judicial authority or that no authority exists for "probable cause" bonds, notwithstanding *Conard*.

Note: In the 31st circuit, procedures are in place for prosecutors to access a database of "PC" bonds posted. When charges are filed, rather than issuing a warrant, bond agents are required to produce the subject. On first appearance, the "PC" bond is rolled into the case. (See sample internal procedure and memo to bondsmen Exhibits 11&12)

Conclusion

In their article --- Kenneth Howe and Erin Hallissy report that "...law enforcement agencies have largely abandoned their job of serving warrants in all but the most serious cases." Explaining how this situation came about they write, "As arrests increased, jails became overcrowded. To cope, judges instead of locking up suspects, often released them without bail with a promise to return for their court dates. For their part, police rather than arrest minor offenders, issued citations then released the suspects with the same expectations. When suspects failed to appear for their court dates, judges issued bench warrants instructing police to take the suspects into custody. But this caused the number of warrants to balloon, and the police did not have the time or staff to serve them all." They also report that in California "there are more than 2.5 million unserved arrest warrants ...including tens of thousands for people wanted for violent crimes".FN1

1. See *Journal of Law and Economics*, vol.XLVII (April 2004) THE FUGITIVE: EVIDENCE ON PUBLIC VERSUS PRIVATE LAW ENFORCEMENT FROM BAIL JUMPING by Eric Helland and Alexander Tarbarrok

To: Judges, Division Clerks, Darrell Moore, Jack Merritt

From: Dan Conklin, Judge 31st Circuit

Subject: Internal probable cause "PC" bond procedure

"PC" bonds and cash from cash bonds posted at the Greene County Justice Center are to be presented to the Associate Clerks' office for Greene County cases.

"PC" bonds and corresponding cash are to be presented to the Municipal Court Clerks' office for municipal cases.

A designated clerk will be responsible for data entry from "PC" bonds into a designated data base accessible to clerks responsible for filing new criminal cases. "Hard copies" of the "PC" bonds are to be maintained in the Associate Clerks' office to be included with cases that are filed arising from corresponding facts of the "PC" bond.

When opening a new criminal case, clerks are to review the "PC" bond data base. If a "PC" bond was made on that charge within the previous 180 days, the "PC" bond is to be included as part of the criminal file and a corresponding docket entry made. Unless there is a special request for judicial review by the prosecutor, a criminal summons is to issue (in both felony and misdemeanor cases) to the address on the bond.

If a prosecutor requests judicial review, the file is to be directed to the Court to determine the appropriate action, eg., contact the bond agent, issue a warrant, or proceed with a summons.

At the initial appearance in response to a felony summons, the Court may approve the bond posted and show a "book and release" for the next appearance date. Should the Court require additional conditions or amounts of bond, the defendant would be booked and held in lieu of conditions of release as set by the Court.

During the initial appearance on a misdemeanor summons and after arraignment and plea, the Court may consider any additional conditions if the defendant is released pending trial or reappearance.

Failure to appear in response to a criminal summons will result in a warrant and a bond forfeiture hearing set.

Prosecutors should continue recommendations for bond amounts and special conditions to be considered in those cases when no "PC" bond is posted or during 1st appearance in response to a summons.

"PC" bonds are deemed discharged 180 days after posting unless a criminal case arising out of the "PC" facts is filed.

During the late 1980s judge Conklin had a signal worked out what his bailiff. Each time he intended to put someone in jail he asked him to set on the red bench, which was a church pew with a foam pad covered in red fabric. All in the courtroom understood that person was about to go to jail and the bailiff was being instructed to prepare for the event. Thereafter, the bailiff would approach the unknowing sucker and place him in handcuffs. The song is about an offender who had posted bond and then was requesting a public defender (a no-no in Judge Conklin's court) in a matter involving domestic violence. During this same period, assistant prosecutors were being directed to proceed on domestic violence cases even if the victim wasn't cooperating and wanted to dismiss the case. Pat Merryman, one of the assistant prosecutors, put the story to music.

Red Bench Blues, C-1992, Moon Dog Records, lyrics by Pat J. Merryman
(Harmonica)

Judge Conklin don't love me,
He done revoked my bond.
All I wanted was a PD. (public defender)
But now my butt is gone.

It was domestic violence.
That's what them cops all said.
My woman don't want to cooperate,
but the prosecutor said drop dead.

Something's going on here
it just don't seem right.
'Cause I come in here for justice
but the judge is uptight.

Chorus

Oh baby I love you, let's make amends.
You know I only beats you
'cause I need you
but now only on weekends.
Oh baby I'm in the jail now
and you know that ain't right.
Judge Conklin done gone and gave me
some of them red bench blues...

(pause for harmonica)

This fellow on the right side
is in for murder one.
And this cat on my left side
winks and says we'll have fun

Oh baby I don't think so,
I just remembered my stash
It's peculiar how that slipped my mind
it must have been a hash.

Chorus

Oh, yeah!

Safety & Justice Roundtable Meeting
Dec. 17, 2008, 7:30 a.m.
Springfield-Greene County Office of Emergency Management
833 Boonville Ave., Springfield, Mo.

AGENDA

1. Welcome and self-introductions — SJR Co-Chairs Jean Twitty and Robert Spence
2. The end game — wrapping up the SJR's review of Law Enforcement/ Criminal Justice System and creating a final report — Jean Twitty and Robert Spence
3. Issues and needs at Greene County Juvenile Office — Perry Epperly, Chief Juvenile Officer
4. Overview of Greene County Courts Administrator — Greene County Administrator Tim Smith
5. Greene County Criminal Justice flow chart — Greene County Administrator Tim Smith
6. Other issues

7. Future meeting dates:

Wed., Jan 21, 2009, 7:30 a.m. - Springfield Municipal Court, Police-Fire Pension
Location: TBA

Wed. Feb. 18, 2009, 7:30 a.m. – Springfield Fire Dept, Emergency 911, Records
Management Systems study

Wed. March 18, 2009, 7:30 a.m. – Formalize recommendations, forward elements
of final report to staff

Safety & Justice Roundtable
Dec. 17, 2008, 7:30 a.m.
Springfield-Greene County Office of Emergency Management, Media Room
833 Boonville Ave., Springfield, Mo.

SJR members present: Jean Twitty, Robert Spence, John Crow, Jim Cook, Mark Skrade, Ron Baird.

Other present: Jenny Edwards, Greene CO. PIO, Perry Epperly, Chief Juvenile Office, Greene Co. Juvenile Office; Greg Burris, City Manager; Lynn Rowe, Springfield Police Chief; Don Clark, SPD; Collin Quigley, City Manager's Office; Kevin Routh, SPD; Jim Arnott, Greene Co. Sheriff-Elect; Ron Hartman, SPD; Jack Merritt, Greene Co Sheriff; Tim Smith, Greene County Administrator; Roseann Bentley, Greene Co. Commissioner; Dave Coonrod, Greene Co. Commissioner.

MINUTES:

1. Jean Twitty and Robert Spence- welcome

2. (Item moved to end of agenda)

3. Issues within Juvenile Office- Perry Epperly: Those of you who toured the Juvenile Facility last summer know how crowded we are there.

Statistical info (referenced hand-out) Greene County has a Family Court System. There are two divisions: Domestic Relations (Dissolution of Marriage, Custody) and the Juvenile Division (Conduct of Child, Conduct of caretaker)

Currently, 200 youth are under court supervision due to their own conduct. More disturbing is Abuse and Neglect referrals (page 2) 802 children (493 families) currently under supervision of court. Some are in are kinship or relative placement. Most are in foster care.

OSCA say we should have 7 more Deputy Juvenile Officers on staff to handle case load- to manage cases through the court. In 2007, Judge Burrell made 6200 decisions in Juvenile office.

85 percent of cases in Juvenile Court are abuse and neglect. It doesn't end in court. We are proactive. Last year, began a Juvenile Drug Court, funded by a federal grant. We're also started a Victim Offender Mediation Program, through MSU. That has been successful for us. Philosophy is constant self-improvement. In February, we're looking to implement victim impact panels- victims will appear before offender. It humanizes the juveniles' behavior, for both sides. Also, we have implemented the Annic E Casey Juvenile Detention Alternatives (JDAI) model. We've developed an Evening Reporting Center, in the former Mary E Wilson home (caddy-corner to Pappy's.) Youth can come in and take advantage of services. Forrest Institute has partnered with us in providing services.

In the Abuse/Neglect side, we have a process for reviewing referrals, we have a Road to Reunification- we meet with parents whose children have been removed, educate them on the process. Our mantra is pursuit of excellence.

What are our needs? They are many, but I will hit the top ones. We are grateful to the County Commission for their support.

Physically, our location, we're in desperate need for new space. Our staff will never complain, but from a courtroom perspective, new facilities are critical. All Juvenile Court decisions are rendered in a single courtroom.

Another area we have a challenge with is parental visitation- those situations are artificial- parents and grandparents have to visit with children in custody in a sterile room. It does not promote healthy relationships. 40 percent of abuse/neglect cases that come to us end in reunification with parents. Greene County would benefit from having a central location for parental visits (and it would be a great research location for our universities- these are supervised visits) and case management and court function.

We would love to have another judicial fact-finder, whether that's a court commissioner or a judge. Children's cases need to be expedited. They cannot wait like adults.

Staffing is a critical need for us. We have 8 DJOs who have seen 1800 youth a year. 800 children in foster care. The children of this community deserve better. I ask you to consider these: A new courts building, a location for child/parent visitation, and staffing needs.

Q: Can you detail your office's grants?

Perry: There are many, particularly within Delinquency: Drug Court, JDAI are grant-funded. Juvenile system operates on this theory: correction based on individualized treatment balanced with public safety. We also partner with the private sector.

Spence: We all recognize the value of grants, but they have a tendency to go away.

Perry: Instead of going after people to run grants, we've looked to partner with agencies in community.

Twitty: Of the needs you've indicated, are those included in your budget requests?

Perry: Yes. We've requested 5 new people, but considering the economy, we don't expect any.

Twitty: Dollar amount?

Perry: About 200,000

Ron Baird: Is there someone in your dept. that is a grant seeker and writer, specifically?

Perry: No, we have a lot of “budding champions,” and it’s always been a team approach. All authored by different team members.

Tim Smith: The space issue is something we’re working on. This Family Court expansion, we’re looking of see how to finance that. Hopefully by 2012.

5. Criminal Justice System Flow Chart- Spence: Our next presenter is Tim Smith. We have many times wanted to look at how the whole process works. Tim has mapped it out.

Tim Smith: The first sheet- Incident: Misdemeanor Crime. (2 pages) The boxes with a pale shade (they were red) indicate a step everyone has to take. My personal interest in this is to take this chart and try to understand what happens to a human being and show where the paperwork comes in. The second three pages map out a felony case. We ask for your comments and feedback, we need to know what’s missing. The last sheet has to do with pre-trial services, it kind of joins into the felony process. I’m trying to understand how this process works myself, to understand Judge Conklin’s proposal for PC Bonds.

Skrade: Great job. The learning is as much a part of the exercise as the product. This will be a nice foundation on which we can attach additional information.

Tim: This is very useful, I agree. We’ll keep building upon this.

Spence: Is there any timeline you’ve tried to correlate?

Tim: Yes, and we’ll add that. Some elements on this chart are time sensitive. Some of them take a very long time, particularly the pre-trial conferences and motion hearings, which can go on and on and on.

Spence: Does that not exacerbate problem in the jail?

Tim: Yes, because people are awaiting trial in jail.

Sheriff-Elect Jim Arnott: Also, another thing we’ve encountered is the Public Defender is limiting the cases they take.

Tim: And there is some misuse of the Public Defender opportunity.

John Crow: It’s a question of economy when people can afford to post bail but not hire an attorney.

Twitty: Is there a legislative solution to the funding of the Public Defender?

Skrade: I was at the Chamber meeting last week, they talked about some state initiatives to find some money- there is conversation, and I was encouraged.

Crow: It’s politically distasteful to give more money to defend criminals.

Sheriff: If they hire more Public Defenders, it can fall either on the state budget or it could be an unfunded mandate and it would fall to the county.

Crow: It's a quality of life issue. It's a matter of how much are we willing to pay and can we afford to pay.

Arnott: Earlier this week the new Governor made statements of freezing any new hires at Pub Defender's office- they may not only refuse to hire, they could take positions away.

Twitty: Can an attorney refuse a case appointed by a judge as a public defender?

Baird: It is not compulsory. Sometimes a case for a minor traffic incident becomes a much larger case.

Twitty: Is assigning attorneys to represent indigents a viable solution?

Baird: I don't think it will be enough to address the shortfall.

Crow: And attorneys are so specialized, defendants could claim they didn't get qualified representation. If you could work down the backlog of cases, that would solve our problems in the jail and in PA offices. That's the albatross. Then perhaps they could keep up with the caseload. But in tough economic times, crime usually goes up.

Twitty: For the purposes of our report, we need to identify those solutions that cost money and that don't cost money.

Crow: All kinds of things can delay a case, but with the right to jury trial, that's a delay, because there are only so many juries and so many weeks they're available. We used to try 20 trials a week in front of a jury. The only way to cram trials through the pipe is to have enough juries. People will plea guilty if they have to face a jury. This new catch and release policy- does that have a rule of unintended consequences? I would guess a lot of criminals flee after they are released? Which might help our crime problem, cause they leave town (laughs all around.)

Chief Rowe: We're also seeing a lot of criminals coming in from out of town.

Crow: Bring in an army of judges and juries and set them us- it'll take a year. When the defendant sees the jury, they know they have run the course and they plea guilty.

Twitty: Has there been a cost study for that?

Commissioner Roseann Bentley: Perhaps we could devise one, at the recommendation of the SJR. It could be a notable effort, I think.

Arnott: One thing we haven't considered is a grand jury- I know that's not popular, but it would move cases through the system. A Grand Jury would cause a lot of offenders to go ahead and plea guilty, because they know they're headed for trial.

4. Tim: Overview of Courts Administrator.

Jerry Moyer is out of town, but one of the major milestones we've achieved here (Among Kalmanoff Study recommendations) is to hire a courts administrator. Jerry is a retired circuit clerk from Barton County, has helped courts implement JIS, so he's very familiar with the process. He answers to 14 judges-- just getting the judges to agree to how that works was a milestone.

(Referenced hand-out) Bailiffs – we're trying to work out details of handling court security and bailiffs.

Twitty: So he is a county employee. Who is the boss?

Tim: He was hired by commission, but works for the judges. We signed a memo of understanding.

Bentley: It's working great. We have a new relationship with the judges, we're invited to meetings, Jerry is very agreeable. We haven't had any problems.

Tim: I agree. Progress is being made.

Bentley: I want to go back—I've taken a special interest in Juvenile, and I want you to understand that what's happening at Juvenile is unprecedented- the amount of grants he's bringing in, and the JDAI has picked 2 of his employees among 12 nation-wide to be a part of Annie E Casey program.

Spence: (Revisited letter asking SJR members to begin compiling their reports)

(Adjourned)

Minutes taken by Jenny Edwards

MISSOURI JUDICIARY
GK JUVENILE OFFICE GREENE
REFERRALS BY CHARGE
Between Jan 1 2008 and Dec 16 2008

DATE: Dec 16, 2008

TIME: 3:44:56 PM

PAGE: 1

	CHARGE CODE	CHARGE CODE DESC	COUNT	PERCENT
Referral Abuse-Neglect	4112000	Abuse - Incest	1	0%
	4113000	Abuse - Other Sexual	33	6%
	4114000	Abuse - Physical	61	11%
	4120000	Abandonment	3	1%
	4130000	Protective Custody	53	10%
	4131000	Transfer Of Custody	2	0%
	4134000	Neglect - Education	4	1%
	4135000	Neglect - Improper Care/Superv	237	43%
	4136000	Neglect - Medical Care	11	2%
	4138000	Neglect - Other	142	26%
Referral Abuse-Neglect			547	100%
Referral Delinquency	1005200	Invlntry Manslaughter 2nd Degr	1	0%
	1100800	Forcbl Rape-Sx Int-Frcbl Cmlsn	4	0%
	1102500	Stat Rape-1st-Sx Int W/Prsn<14	1	0%
	1104000	Sexual Assault 1st Degree	6	0%
	1110000	Deviate Sexual Assault-1st Deg	19	1%
	1201000	Robbery 1st Degree	4	0%
	1201001	Attmpt-Robbery 1st Degree	1	0%
	1202000	Robbery 2nd Degree	5	0%
	1303100	Assault 2nd Degree	10	1%
	1304000	Assault 3rd Deg Physical Inj	158	9%
	1305000	Assault 3rd Degree	301	18%
	1305500	Assault While On School Proper	2	0%
	1311700	Asslt Le,Ep,Pp-Phys Inj	4	0%
	1312600	Asslt/Attmpt Asslt Le,Ep,Pp-Cont	1	0%
	1401000	Burglary 1st Degree	11	1%
	1401001	Attmpt-Burglary 1st Degree	1	0%
	1402000	Burglary 2nd Degree	55	3%
	1402001	Attmpt-Burglary 2nd Degree	1	0%
	1502000	Stealing A Motor Vehicle	2	0%
	1502100	Theft/Stealing > \$500 < \$25000	25	1%
	1503300	Theft/Stealing-Value < \$500	320	19%
	1601000	Kidnapping	1	0%
	1702000	Arson 2nd Degree	3	0%
	1703000	Knowingly Burning Or Exploding	18	1%
	1704000	Reckless Burning Or Exploding	1	0%

MISSOURI JUDICIARY
GK JUVENILE OFFICE GREENE
REFERRALS BY CHARGE
Between Jan 1 2008 and Dec 16 2008

DATE: Dec 16, 2008

TIME: 3:44:56 PM

PAGE: 2

	CHARGE CODE	CHARGE CODE DESC	COUNT	PERCENT
Referral Delinquency	1705000	Negligent Burning Or Exploding	7	0%
	1902200	Pass Bad Check < \$500	6	0%
	1904000	Fraudulent Usage Credit Device	1	0%
	2201000	Sexual Misconduct	62	4%
	2201300	Sexual Misconduct--2nd Degree	7	0%
	2201400	Sexual Misconduct--3rd Degree	9	1%
	2202700	Sx Miscd/Atmp Invl Chld-1st Of	2	0%
	2203700	Sx Miscd/Atmp Invl Chld-2d/Sub	1	0%
	2209000	Incest	1	0%
	2211500	Child Molestation--2nd Degree	1	0%
	2301000	Tampering 1st Degree	9	1%
	2301300	Tamper - 1st / Motr Veh	8	0%
	2303000	Tampering 2nd Degree	1	0%
	2303200	Tampering W/ Prop 2nd Degree	7	0%
	2304100	Tamper - 2nd / Motr Veh	1	0%
	2311000	Property Damage 1st Degree	10	1%
	2313500	Property Damage 2nd Degree	175	10%
	2401500	Rec Stolen Prop-\$500/More/Dlr	2	0%
	2402500	Rec Stolen Prop < \$500	7	0%
	2502900	*Disc-Possess Child Porno	1	0%
	2701000	Making False Report	2	0%
	2702000	Resist Arrst Othr/Flight;Inter	1	0%
	2704000	Res/Int W/Arrest, Det, Stop	5	0%
	2940600	Probation/Parole Violation	1	0%
	3102000	Unlawful Use Weapon-sub 1-4	13	1%
	3103500	Unlawful Use Weapon-sub 6,7,8	9	1%
	3245000	Possess Controlled Substance	40	2%
	3245500	Possess Up To 35 Grms Marijuan	68	4%
	3246500	Dst/Del/Mn/Atmpt To/Poss W/Int	14	1%
	3250500	Unlawfl Use Drug Paraphernalia	28	2%
	3251500	Possess-Imitation Cntrl Drug	1	0%
	3253000	Distrib Cntrld Sub Regstrn Req	3	0%
	3303000	Supply Liquor Mnr/Intox Person	1	0%
	3304000	Pur/Atmp Pur/Possess Liq Minor	64	4%
	3304500	Minor Intox / Bac .02% Or More	17	1%
	3401200	Peace Disturbance, 1st Offense	7	0%

MISSOURI JUDICIARY
GK JUVENILE OFFICE GREENE
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PAGE: 3

	CHARGE CODE	CHARGE CODE DESC	COUNT	PERCENT
Referral Delinquency	3405700	Harassment	3	0%
	3405900	Harassment	3	0%
	3406000	*Disc-Harassment	21	1%
	3422000	*Disc-Aggr Stalking 1st/Stalki	1	0%
	3606000	Littering	7	0%
	3617800	Inhale Fumes Or Induce Another	3	0%
	3618700	Per < 18 Pur/Atm/Pos Cig-1st	15	1%
	4104000	Behavior Injurious To Self/Oth	4	0%
	4142000	Violation Of Valid Court Order	1	0%
	4660800	Oper Veh W/O Dr Lic 1 Or 2 Off	1	0%
	4886501	Attmpt-Left Scene Mtr Veh Acci	1	0%
	5704000	Trespass-1st Degree	24	1%
	5706000	Trespassing-2nd Degree	31	2%
	5713001	Attmpt-Invasion Of Privacy 2nd	1	0%
	5800100	Making A False Bomb Report	2	0%
	5902700	Dist Prscrpt Med<21 School	4	0%
Referral Delinquency			1,669	100%
Referral Status	4101000	Truancy	12	2%
	4102000	Beyond Parental Control	3	1%
	4103000	Habitually Absent From Home	76	14%
	4104000	Behavior Injurious To Self/Oth	456	83%
Referral Status			547	100%
SUMMARY			2,763	

2008	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
FAMILIES	498	501	501	505	513	509	512	517	514	491	493	
CHILDREN	780	792	783	790	804	798	799	814	805	799	802	
AMANDA												
FAMILIES	67	66	67	67	71	68	70	70	72	65	68	
CHILDREN	105	104	105	105	110	107	108	111	111	111	113	
BARBARA												
FAMILIES	62	63	64	65	67	68	69	68	67	63	63	
CHILDREN	93	98	101	97	107	108	108	112	106	102	108	
BROOKE												
FAMILIES	69	71	69	68	70	74	70	71	73	75	69	
CHILDREN	111	114	113	105	106	110	111	109	120	123	115	
CASSANDRA												
FAMILIES	65	66	66	66	67	66	64	64	65	65	65	
CHILDREN	100	101	103	103	102	104	97	100	100	103	103	
KEVIN												
FAMILIES	68	69	70	75	75	74	76	75	70	63	64	
CHILDREN	113	114	115	124	120	118	123	128	117	107	105	
KYLE												
FAMILIES	59	60	60	58	55	56	56	58	58	55	56	
CHILDREN	96	99	93	96	99	99	97	96	92	95	96	
RHONDA												
FAMILIES	57	57	59	58	57	57	61	62	59	60	63	
CHILDREN	93	95	91	95	93	92	97	98	95	99	104	
SHAYLA												
FAMILIES	50	48	47	48	51	46	46	49	50	45	45	
CHILDREN	66	64	63	65	67	60	58	61	64	59	58	
LISA	1/3	1/3										
INTAKES												
FAMILIES	36	27	26	38	35	23	27	24	30	31	20	
CHILDREN	57	49	52	65	47	43	36	44	49	49	31	
PETITIONS												
FAMILIES	22	14	13	18	26	16	19	21	18	17	18	
CHILDREN	33	22	19	34	44	30	28	39	32	24	27	
TPR												
FAMILIES	62	43	58	63	61	60	60	59	57	43	58	
CHILDREN	105	76	100	104	96	92	97	92	97	93	101	
FILED	16	47	20	12	11	12	26	13	17	9	10	

CIRCUIT COURT ADMINISTRATOR
Greene County Circuit Court
December 5, 2008

CURRENT DUTIES:

1. Member of Criminal Justice Coordinating Committee.
 - A. Study the average length of stay in the Greene County Jail and conduct a system analysis to identify situations that increase the average length of stay and make recommendations for reduction of the average length of stay.
 - B. Coordinate the activities of Pre-Trial Services.
 - C. Provide close coordination and cooperation between the Sheriff's Department, Jail, Juvenile Services, the Public Defenders office, Prosecuting Attorney, Circuit Clerk, the Office of State Courts Administrator and other offices and agencies involved.
2. Serves under the direction of the Presiding Judge and carries out directives of the Presiding Judge.
 - A. Planning of the New Courtrooms,
 - B. Attends meetings in behalf of the Presiding Judge,
3. Attends the Court En Banc meetings.
 - A. Carries out directives of the Court En Banc.
 - B. Makes reports to the Court En Banc.
 - C. Makes recommendations to the Court En Banc.
4. Collects, studies and presents data necessary for proper evaluation of Court's functioning.
 - A. Prepares Monthly Reports,
 - B. Prepares special reports upon request,
5. Evaluates the Court's docket and offers recommendations for procedure and management improvement.
 - A. Implementing the Judicial Partnership Program. A program designed to share judges between courts. The program will bring Judges from the 8th, 15th and 44th Circuits to the 31st Circuit to meet the need for more Judges.
6. Serves as an information resource for the Judges, Commissioners, court staff, and Circuit Clerk.
7. Serves as a facilitator, coordinator and communicator within the Court.
 - A. Problem Solvers Group,
 - B. Bailiff's Group,
 - C. Circuit Court Management Team,
 - D. Meet with Presiding Judge at least weekly,
 - E. Meet with Judges and Commissioners individually to discuss specific projects,
8. Member of the Campus Security Committee.
 - A. Emergency Plan Development Sub-Committee,
9. Supervise and organize Court Bailiff's communication, coordination of activities, and training.

- A. Schedule training of Emergency Plans, Automatic External Defibrillator, and C.P.R.
 - B. Communication with Full-time, Part-time and Relief Bailiff's.
 - C. Organizing Bailiff staffing for Div. 25.
 - D. Developing plan for hiring new Relief Bailiffs.
 - E. Organize testing of security measures and emergency plans.
 - F. Develop Prisoner Restraint Policy and Plan for High Profile Trials.
10. Circuit Court Budget.
- A. Compiles the Court's Budget,
 - B. Presents the budget to the Court En Banc,
 - C. Files budget with the County before September 1,
 - D. Presents the budget to the County Commission,
11. Serves as a liaison officer with intergovernmental agencies.
- A. County Commission,
 - B. Prosecuting Attorney,
 - C. Public Defender,
 - D. Sheriff,
12. Requesting Expenditures for the Court.
- A. Submits Requisitions/Invoices via EDEN for the Circuit and Associate Divisions, Probate Division, Family Court, Information Technology and Jury Management.
 - B. Approves Requisitions/Invoices for Information Technology and Jury Management,
 - C. Prints Budget expenditure reports for the Court.
13. Payroll Management: Bailiff, Jury Management and Court Administrator:
- A. Collects Time Sheets,
 - B. Maintains Leave Accrual Records,
 - C. Prepares and submits Payroll Requisition to the County Clerk.
14. Serves as a liaison between the Court, the general public and public organizations.
15. Assist the Presiding Judge in the management of Support Services within the Circuit Court.
16. Develop floor plan for new Family Courts Building.

SAFETY & JUSTICE ROUNDTABLE

**7:30 a.m., January 21, 2009
Springfield Municipal Court Building**

AGENDA

1. Welcome and introductions
2. Hand out latest version of Greene County criminal justice flow chart –
Greene County Administrator Tim Smith
3. Discussion of Records Management System demo – City Manager Greg
Burris
4. Pension sales tax presentation – City Manager Greg Burris
5. Municipal Court presentation – Chief Judge Todd Thornhill and Assistant
City Attorney Johnnie Burgess
6. Any other issues
7. Future meeting dates: Final scheduled meeting is 7:30 a.m., Feb. 18, 2009 at
Springfield Fire Station No. 5, 2750 W. Kearney St.

Safety and Justice Roundtable

Meeting Minutes

Jan. 21, 2009

1) Discussion of Records Management System demo done by City and County to explore the possibility of using a single system – City Manager Greg Burris

- The Records management system at the end of its life

- Burris was the University Chief Information Officer for 10 years and knows a bit about this

- The 800 pound gorilla in the report is the fact that the system went live in 2002 and the vendor will soon stop supporting it, so something will have to be done soon. Fingers are crossed daily because a strike of lighting could send them back to paper records. "We've got to do something quickly."

- On page 2 a group of Director of Information Systems Jeff Coiner's staff got together to see the BIS system the County recently purchased

- County has a good system that works for them

- However, on the macro level it's not a good fit for what the SPD needs. There is no mechanism for reporting or diagramming accidents, no false alarm module, no case management for investigations, etc.

- On page 3, it would also require they buy additional licenses, such as Microsoft Word for each

- Customizations are not recommended because they have to be done each and every time the next version that comes out, and that's what would have to happen to share the systems

- Cost information is on page 4, and we remain hopeful for some federal money. "The bottom line is the cheaper cost is if we try to pound the round peg in square hole, but the long-term cost is more when you include the customization," so sharing is more expensive.

- MoDex allows for sharing info across the state and it already works in that capacity. So it's thought the best route to take will be to get the systems that work best within each municipality and then share via these databases. County and City are already sharing info on this system.

- Jean Twitty asks Chief Rowe and Sheriff Arnott if MoDex is sufficient. Chief says there's more than enough info to share and work well. Sheriff says it's limited because it only shows what the agencies want to share, so it's only as good as the info they put in. Also says MoDex is only updated when you send all your info, not on a real-time basis. It will greatly depend on how often the agencies submit their data.

-Sheriff Arnott says they do have an interface with Computer Aided Dispatch, but it's only for crime mapping, so there is a connection. There is a case management module for detectives and has supervisor approval. Field Information Reports are being used every day, an e-mail from the system is sent to Sheriff every day about suspicious activity and other information.

-Twitty asks about customization and repeats on upgrades. Are there other agencies like a user group that adds it in to the version upgrades so we don't have to? Burris: That happens with often software, but that's different than the County and City using exactly the same setup system and software.

Sheriff says once the City decides its direction, no matter what happens the County can connect systems in some way. "No matter what direction we go, we'll be sharing information."

Chief Rowe: "With the technology today, anything is possible."

- Question: How committed is the County to this software? "Very, because all data going back to 1989 is in the new system and that was a big selling point." It does nearly everything they want because it's a beta test and they were allowed to tell the developer what they wanted and needed during the build. Most sheriff's offices don't do crashes, which is why they don't have that in the county system. Just not used very often in that capacity.

2) Police/Fire Pension 1-cent sales tax proposal – City Manager Greg Burris

-The City's P/F pension fund is nearly \$200 million underfunded, and is at about a 33 percent funded level

-Fund is paid for by employee contributions of 11.35 or 8.5 percent of earnings depending on if they are in the older Tier 1 or newer Tier 2 (since July 2006); City contributions and investment returns.

- New state legislation requires any city in Missouri with an under-funded pension plan to make a full contribution at least once every five years or the state can withhold 25 percent of that city's sales tax revenues collected by the state. Springfield made the full contribution last year by cutting \$5.2 million from budget. Cannot continue ongoing cuts of this magnitude.

- City's general fund budget is \$73 million and is the only source from which pension contributions may come. Many other funds are "siloed" for specific uses such as capital improvements, transportation, etc.

-Many factors contributed, including the City not funding full amount during four fiscal years, actuarial assumptions increased, Tier I benefits increased in lieu of raises during 1990s boom years, market returns less than expected since 2000, current economic downturn has hit hard.

- Feels the City must address the problem now, stop the bleeding and apply lessons learned, get everyone involved in a solution and have unified support by all stakeholders.

- City has taken many actions to stop the bleeding already including reduced investment fees, increased city contribution rate, caps on holiday and vacation

accumulation, and also raised retirement age and removed automatic COLA for Tier 2. Benefits cannot be reduced if already earned. Benefits promised by not earned can only be changed by a vote of the people

- 1-cent tax has been proposed that will sunset after 5 years or when the pension becomes 100 percent funded, whichever comes first. All money would go to pension fund.

- City contribution and employee contributions would go up, potential telecom lawsuit settlements would also go in

- City would also enroll all new hires into LAGERS and give Tier 2 employees option to move into it as well.

- Potential cuts for FY 2009-10 should the tax fail are outlined on www.springfieldmo.gov/elections

Q – How many years has the city failed to put in recommended amount?

A – can't speak to way back, but in recent memory it was four fiscal years. The underfunded amount is about \$10 million in today's dollars

Maj. James says he was on pension board in late 1990s, and it was 90 percent funded in the very recent past. "It was a perfect storm. We were great not too many years ago."

The city has not taken any money from the plan. We are not allowed to do so.

Q – Does the current \$5.2 million cut continue this year?

A – There are four scenarios. If this passes and the sales revenue goes down there will still be cuts to the budget. The only way to restore some of that cut is to pass the tax and if revenue goes up.

Q – Will it be a while if this passes for another 1/8 cent tax to do other projects?

A – If the revenue goes back up, we could restore some cuts, parks took an 800k cut this year and we would like to restore some. They also have their own county wide tax revenue stream. Can't tell you whether or not projects like family rec center on Blackman Road will be delayed, it's just unsure.

Q – Is there a way to transition the extra cent to a court or jail improvement?

A – This one goes away five years no matter what. A county-wide tax would be different than a city tax. The people would decide, not governments.

3) Overview of Municipal Court – Todd Thornhill, Chief Judge of the Springfield Municipal Court and Johnnie Burgess, City Prosecuting Attorney

Thornhill:

- Handle all city business, but they have caps. Mostly deal with traffic, red light violations, but also had 1600 drug cases, 1400 stealing cases, 800 dog cases, 420 trespassing cases and 300 assault cases last year.

- The number of cases we hear that are filed in municipal court is 52,466. That's how many cases send to the court, 16 percent are parking and take little time but otherwise it takes up some. And that's a lot left.

- Our goal is to resolve DWI and BAC cases in 270 days or less, all other cases in 120 days or less. Now they are down a bit in meeting that goal and "we have to hustle quite frankly to meet that."

"Ladies and gentlemen, we have 40,000 active warrants for people for arrest in this community and that's an embarrassment."

- Staffing levels discussed, feels they need a person dedicated to those who don't pay fines

Q - Would it be possible to get state legislation for people not to get drivers license renewed, if they don't pay the fines?

A - People drive regardless of whether they can or not. Not sure that it would make an impact to be honest.

- Building is the biggest need. People are lined up this morning outside to get in.

Burgess:

- In 2008 we filed in the area of 44,000 criminal offenses not counting parking tickets. Some 31,000 defendants. Should have about 2 witnesses to support each charge. That's 89,000 witnesses. "We touch a number of people that's roughly equivalent to the population of the City of Springfield in a year's time."

- Everyone in the City is a resident of county, so it's all related. If you manipulate something at one end it affects the other end.

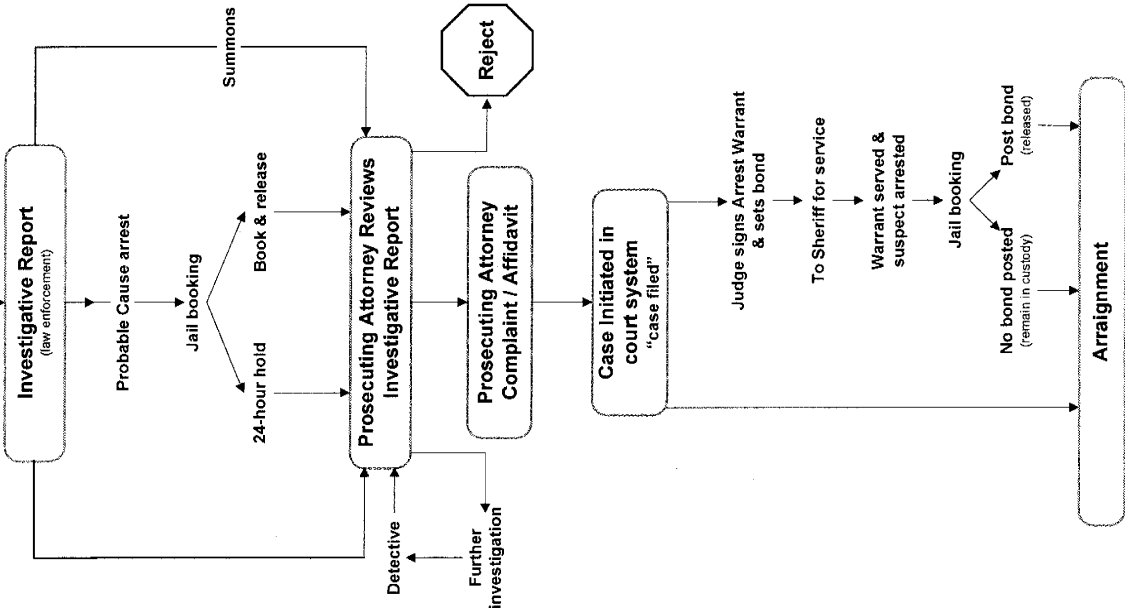
- A meeting with Darrell Moore said Greene County couldn't give attention to what he needed. Gave City a list of 27 types of misdemeanors that would be referred to muni court. One type was small amounts of marijuana. There was no ordinance at that time. It was believed it was a state issue. Since April 2004 they have prosecuted over 4,000 cases for this. Sometimes repeat offenders who would require jail time, but if the jail is full a lot of right-minded people say that's a waste.

"So what I'm saying is we're being handed more and more cases and we don't have the resources for them and the jail doesn't have the resources for them. I don't want you to forget this is all one big system. The Municipal Court is a significant and integral part of the criminal justice system in Greene County."

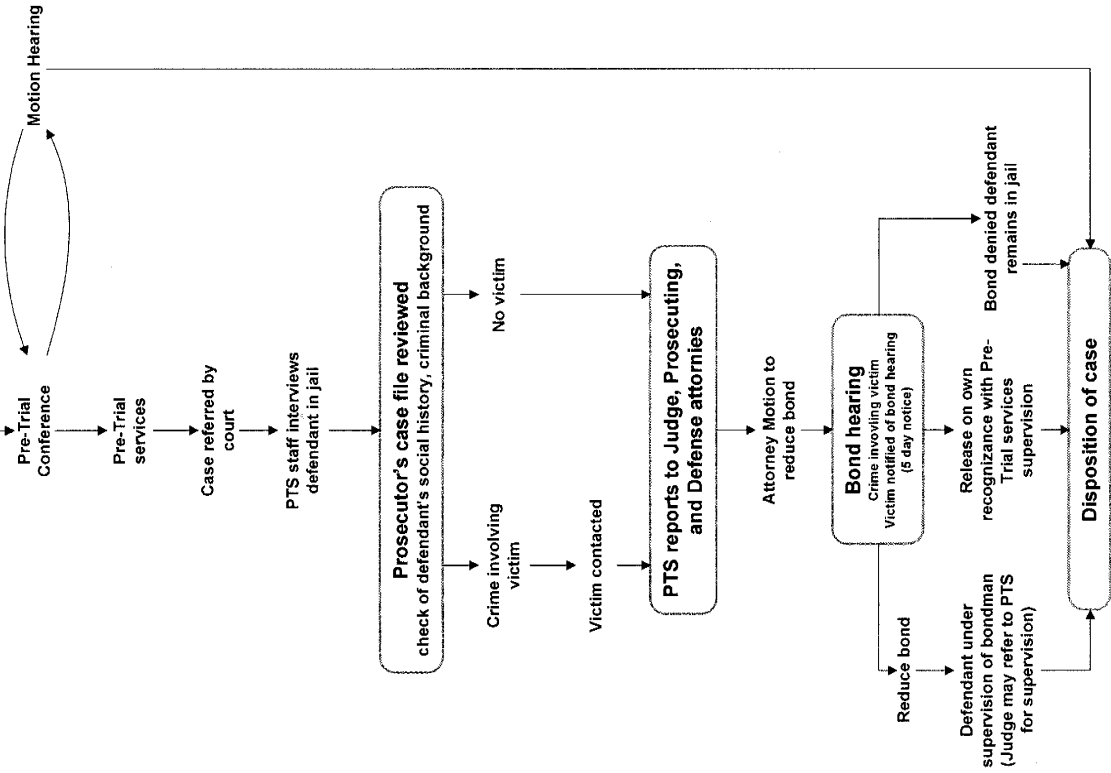
Q- Tim smith: As we plan for the expansion of the judicial facilities should we plan for muni court space?

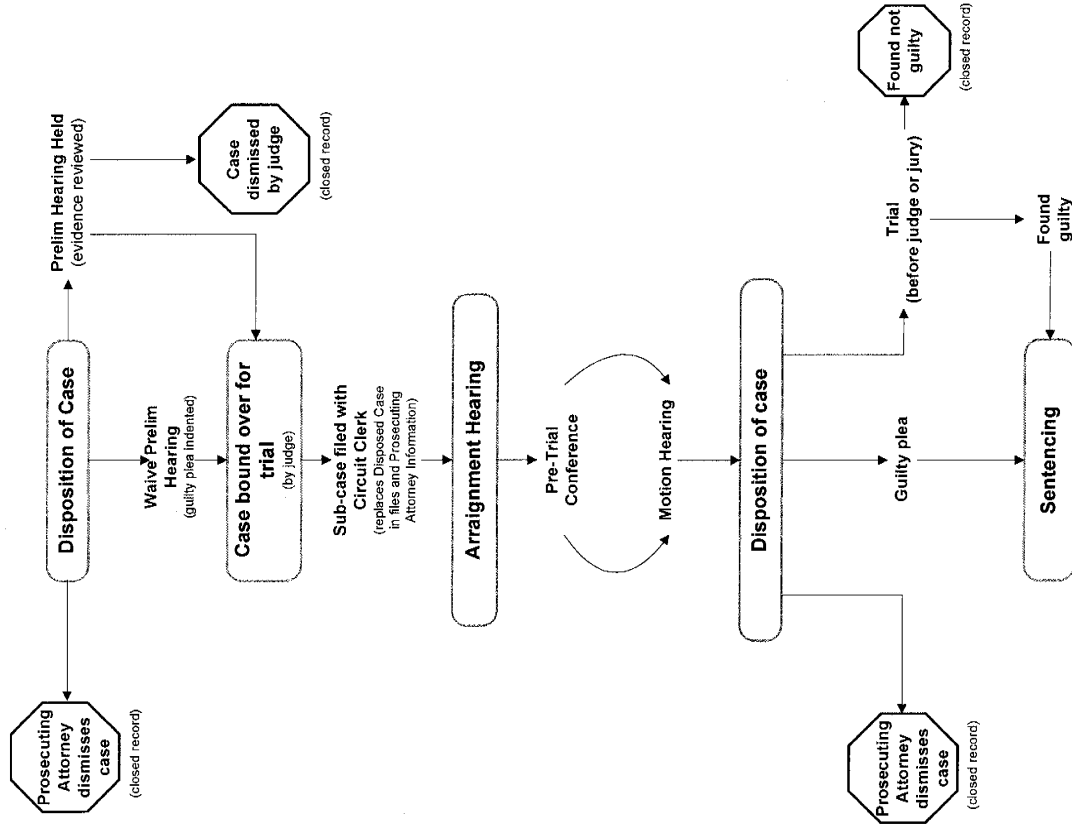
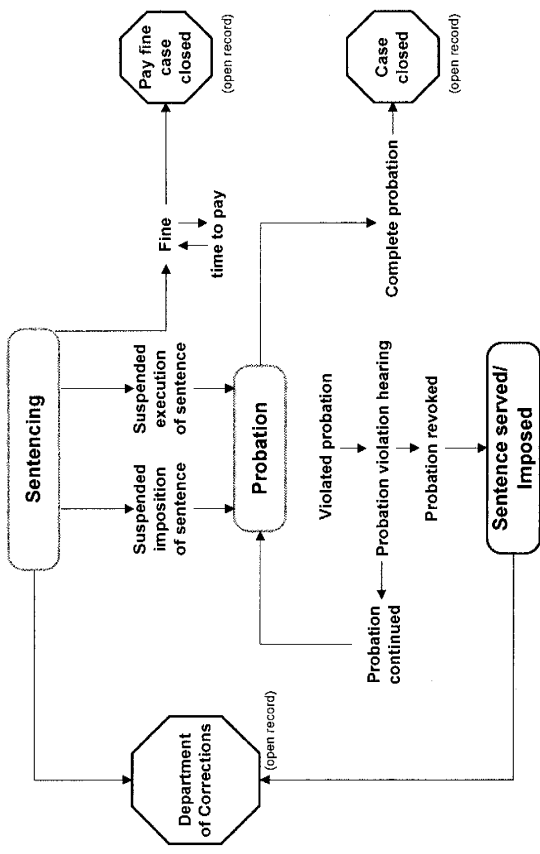
A- There's nothing in the law that says the city has to be in the biz of prosecuting anything. Some cities only do parking tix. Burden shift is not problem resolution.

Incident-felony crime



Arraignment Hearing (1st Appearance)





CITY of
SPRINGFIELD



MEMORANDUM

TO: Safety and Justice Roundtable

FROM: Collin Quigley, Assistant City Manager *CQ*

RE: Springfield Police RMS and Greene County Sheriff's RMS
Response to Safety Justice Roundtable Questions

DATE: January 21, 2009

There were two questions the Safety and Justice Roundtable asked the city to research in reference to our police records management system (RMS). The first question was whether the Springfield Police Department (SPD) could share the Greene County Sheriff's Office records management system? Secondly, if we were unable to use the same RMS, how could we share information between both agencies better than we do today?

Brief History of Springfield Police Department's Records Management System:

The City of Springfield currently has a records management system called Tiburon. The City contracted with Tiburon in April of 2000 for a Records Management System and a Field Reporting System (ARS.) The cost of the system at that time was \$1,145,982.89. The system "went live" on 1/1/2002. Prior to that time, the police department completed all reports by hand. The ARS Field Reporting System allowed officers to write reports in their cars and send that information electronically to the report control server where that information was captured by the RMS system. The RMS allows SPD to have immediate access to information that in the past required research and extensive searches by hand.

Due to financial constraints at the time, the contract with Tiburon did not include any software revisions or additional licenses. In the past eight years, additional users have been added, the volume of records has grown, and the server has become increasingly unstable and is no longer supported by the vendor. Many of the software's capabilities have been surpassed with later versions and developing technology, making it increasingly difficult to query data and perform productive routine tasks. Tiburon was a great first step into electronic reporting for the Police Department, but we have far outgrown its capabilities. Software limitations and lack of vendor support coupled with unstable hardware makes it imperative that Tiburon and the server that it is housed on be replaced as soon as possible.

Pros and Cons of the City using the County's System:

The county recently hosted a demonstration of their RMS, called BIS, for our information systems and SPD staff. Here are some pros and cons that were noted after the demonstration.

Pros:

- The system has good functionality, such as allowing for attachments and the electronic vehicle stop information.
- The County has done a good job with the resources at their disposal for installation and configuration of their BIS system.
- The BIS system has an electronic ticket capability.
- There is the potential for supervisors to approve reports from their cars, leaving supervisors in the field.
- The system utilizes a single web-based application with customizable software for both the jail and records management.

Cons:

- There is no mechanism for reporting or diagramming of accidents. In 2007, Springfield Police worked 8,977 traffic accidents. Accident diagramming and reporting is a substantial part of city police work and a key requirement for SPD's next generation RMS.
- The system does not have a false alarm module that would allow for false alarm reporting, billing or handling. In 2007, we completed 4,087 false alarm reports.
- The BIS has is no interface with the computer-aided dispatch (CAD) system and one is not planned at this time.
- There is not a case management system to handle cases in investigations. What exists does not allow for concrete due dates and it is unknown how or if information can be extracted from the system.
- At this time, it does not appear that the system is being used for ICAD or FIR reports.
- During the demo, the BIS system did not allow for partial search of some information.

- There was a concern that some information from a report might be lost because the arrest information on the report had no mechanism to capture ticket numbers issued to a subject or the warrant number for which the subject was arrested. The ticket number may not be an issue for Greene County since they are printing tickets in the car, but it would be a ticket accounting issue for us.
- The narrative portion of the report does not have tools like spell-check or other word processing functions, so we would have to default to Microsoft Word to write the narrative. This would require a Microsoft Word or Office license for every user in addition to any other license fees for approximately \$130,000.
- The system does not have advanced crime analysis or intelligence tools, and does not capture all of the M.O. information we currently capture.
- Currently, the system is not utilizing automatic MULES entry for warrants or stolen property and that is still taken care of by duplicate entries in MULES and RMS which leads to additional staff time.
- There was no demonstration of what information could be extracted from the system once entered or how that process would work. Those decisions have not yet been made and the code to make those things happen has not yet been written. Reporting capabilities are limited and will require considerable resources to get meaningful information out of the system.

The BIS system purchased by Greene County appears to be a relatively basic records management system. The software development has been focused on the jail management portion and the development of the RMS portion will require considerable customization. There is good functionality, such as allowing for attachments and the electronic vehicle stop information, but it does not have the tools required by an agency the size of ours, such as crime analysis, case management, and accident reporting.

In the opinion of the IS director for Greene County, they are 75% complete with their work configuring the BIS system. For this system to work for SPD, it would require massive code writing because it is probably 25% or less set up for our current needs, requiring considerable time and expense before implementation. From those who know our system well, they felt that the county system would be a move backwards, not forward, for SPD in terms of RMS capabilities. It was clearly stated, by the county's information systems staff, that this software is still in development and it would require a lot of time and expense to develop the software for our needs. The county system offered no new technology from what we currently utilize. The software packages on the market today utilize sophisticated search capabilities for officers in the field, flexible interfaces at the database, application and client layers, and easily configured forms

and documents. There are obvious differences in policing practices that would be hard to compensate for if the same system were utilized by both departments.

The mobile capabilities are still under development and while the expectation is that most of the issues will be resolved with the use of Oracle light client, it is untested at this time. The SPD's direction is to be able to do as much as possible on the mobile data terminals (MDT's) with limited bandwidth. The Oracle light client may not be the solution for everything that needs to be done remotely because not everything will use Oracle. Bandwidth in the vehicles will be a challenge regardless of the system used. The 800 MHz radio system is not a long-term solution for in-car access to network services.

Cost for Springfield to use the County's RMS system:

The initial cost for the county's system for the city is likely in the \$240,000 to \$400,000 range. The cost per user would be \$600 to \$1,000 and we need approximately 400 licenses. The additional annual maintenance charge would be \$48,000 to \$80,000 (20% of initial cost). We would also need to purchase an upgrade to Microsoft Word for each user about every three years at a cost of about \$130,000. We would need to purchase cellular service for each mobile terminal to communicate, which is estimated at \$100,800 per year (200x42x12). There are also some additional one-time costs for server upgrade, data conversion and training.

Costs Estimate Breakdown with County's RMS:

Initial License Fee \$240,000 to \$400,000

Total \$240,000 to \$400,000

Annual Maintenance \$48,000 to \$80,000 (20%)

Cellular Service \$100,800 annually

Total Annual \$148,800 to \$180,800

Additional one-time costs: (rough estimate)

Data conversion \$unknown

Server upgrades \$150,000 +/-

Training \$unknown

Total additional \$150,000+

Additional upgrade of Microsoft Word every three years: **\$130,000**

There is also additional unknown costs and staff time to customize and develop the BIS system to meet the needs of the SPD.

The City's Information Systems staff and SPD staff have researched new records management systems and have identified the optimal system that meets the current and future needs of the department. The Police Department is working closely with the State of Missouri in their bid to replace systems, including field reporting and records management, used by the Missouri State Highway Patrol. Vendor proposals were due December 15 and are in the process of review

before evaluations begin. The Police Department has previewed several systems and will have the opportunity to preview additional ones in conjunction with the State. The approximate cost for the type of records management systems required by the City is in the \$700,000 to \$1,000,000+ range, depending on the final configuration of the software.

Cost Estimate Breakdown for optimal RMS:

RMS Site License	\$500,000	(includes interfaces to CAD/MULES/NCIC, installation, testing, project planning & configuration)
RMS to Livescan Interface	\$5,000	
Business Fit Training & Support	\$10,200	(12 days @ \$600 per day plus travel, 3 trips)
Misc Interface Development	\$30,000	(\$10,000 per interface)
Total	\$545,200	

Annual Maintenance	\$100,000	(20%)
Total Annual	\$100,000	

Additional one-time costs: (rough estimate)

Data conversion	\$20,000 - \$80,000	(\$700 per day)
Server upgrades	\$150,000 +/- estimate	(Microsoft SQL Server, production database server hardware, application hardware)
Training	\$9,400	(8 days @ \$600 per day plus travel, 2 trips)
Total Additional	\$179,400-\$239,400	

Federal Grant:

There is a potential for us to receive a Federal appropriation in the amount of \$700,000. A request was made by the City in the FY2009 Commerce, Justice, Science Appropriation Bill, Community Oriented Policing Services (COPS): Law Enforcement Technology and Interoperability Grants Program for \$1,000,000 to replace the existing Police automated field reporting/records management system. We were notified in June that the House marked up the Commerce Justice Science Appropriations Bill and that \$700,000 has been allocated for the automated field reporting/records management system. The Police Department will commit \$200,000 in seized funds as a match. The seized funds are not part of the city's general fund and have to be used for law enforcement capital needs.

In comparison, the initial cost estimate of the Police Department's optimal RMS is slightly higher than the County's (\$240,000 - \$400,000 vs. \$545,000) in part due to the number of users, increased functionality, vendor fees for major interfaces and configurations. However, the Police Department's annual cost is less for the optimal system than the County's BIS system. The additional features and benefits included in a commercial off-the-shelf product that is currently being used by other agencies, makes the initial cost differences insignificant in comparison.

MoDex for Information Sharing:

The City and the County are part of the newly formed information sharing database pool in the State of Missouri called MoDex. Regardless of the records management systems that are utilized by various law enforcement agencies throughout Missouri, the MoDex system will allow information to be shared between all agencies. The goal of the MoDex is to collect and make accessible, information from as many police and sheriff's departments' records management systems and other information sources as possible. The long-term goal is to link MoDex with other states through the National Crime Index (NDex) and allow participating agencies access to nationwide information sources.

Summary:

It appears that the Greene County Sheriff's Office RMS is meeting the primary need for the county, which is the jail management system. The county's RMS is beginning to be rolled out for officers in the field and will require some additional work before it is fully implemented. The Springfield Police Department currently has a basic RMS that is on failing hardware and will not be supported by the vendor in its current configuration. It appears that the need of the SPD for a RMS varies substantially from the county's needs. New RMS software that the police department is considering purchasing includes advanced intelligence information gathering and dissemination, crime analysis, case management, as well as improvements in our accident investigation reporting tools among other improvements. The main thing that we should focus on at this point is the ability to share information between the city and county and other law enforcement agencies throughout Missouri seamlessly through the MoDex system. No matter what software each agency needs to utilize to meet policing requirements and methods, the information collected is available on the state-wide database.

**Springfield Area Chamber of Commerce
Local Issues Public Policy Task Force**

Evaluation Framework for Election Issues:

Please provide an overview of the proposed ballot issue, highlighting the benefits for the community.

This proposal seeks a 1-cent city sales tax increase solely for the purpose of funding the City's Police/Fire Pension Retirement System for a limited period that would end after either five years or when the system is fully funded, whichever occurs first. This is the specific intent of the language for the Feb. 3 ballot.

The 1-cent sales tax would generate about \$40 million a year based on historical sales tax data. The pension system currently holds \$101 million in assets as of Oct. 31, 2008. Its funding obligation stands at \$295 million currently. That means the current unfunded liability is \$194 million.

In addition to that specific ballot issue, the overall proposal includes several other new sources to contribute to restoring a healthy funding level.

- The City would increase its annual contribution rate by 1 percent to 29.88 percent of the Police/Fire payroll. This would be an additional \$240,000 per year increase using General Revenue funds. The current 28.88 percent rate represents a \$7.3 million City contribution, based on the 2008-09 Police/Fire payroll. (The City contributes 24.7 percent of payroll to LAGERS and Social Security for all other employees.)

For the current FY08-09 budget year, City Council committed to making the full amount recommended by the Actuary - 50 percent of Police/Fire payroll - to ensure the state couldn't withhold 25 percent (about \$18 million) of all local sales tax revenue for at least four more years. The state enacted this law to force cities anywhere in Missouri to address police/fire pension plans with funded ratios below 60 percent.

This resulted in the \$5.2 million budget cut from the General Fund to make a total contribution of \$12.5 million. More details of the budget cut are provided in subsequent responses.

- Police and Fire Tier I employees will increase their contributions to the pension fund in 2010. The fund's actuary adjusts the employee contribution amount every five years. That will be done in 2009 and take effect in 2010. Tier 1 employees currently contribute 11.35 percent of their earnings to the pension plan.

- The City would commit at least \$10 million of sufficient net revenue received either through judgment or settlement from several telecommunications companies. They owe the City back taxes on wireless phone receipts based on a series of court rulings in the City's favor, most recently from the 8th Circuit U.S. District Court. The exact amount and timetable of a settlement/judgment is not yet known, but the City Council and City Attorney's office believe the \$10 million estimate of potential net revenue is realistic. Putting \$10 million into the pension system would, in effect, make the City's contribution whole (in today's dollars) from the \$10 million it underfunded in four fiscal years. If the City nets

more than \$10 million, City Council could apply additional settlement revenue to the pension fund.

- New Police/Fire employees would be placed in the LAGERS pension system and the City's self-funded system would be closed for new hires if the tax passes. LAGERS has a specific plan for Police/Fire employees that is similar to the City's current Tier II plan. The City is developing a strategy to allow Tier II employees to voluntarily move into LAGERS. The City will still maintain a pension plan for current Police/Fire employees for an estimated 70 years, but this will allow the City to close the self-funded plan for new employees and use the larger, more stable statewide LAGERS system.

Benefits to the community:

We are very proud of our public safety services. With this year's successful accreditation of the Fire Department, Springfield is one of only 52 cities in the world to have both accredited Police and Fire departments. Our Fire Rating is ISO 2, on a scale of 1 to 10, with Class 1 being the best. The Police Department has been reaccredited four times since its first award in 1997.

One concern the City has disclosed is that additional cuts to Fire personnel could result in closing one fire station so that all the remaining stations could maintain industry-standard staffing levels. The Department is due to be re-rated for its ISO in 2009 and a closed station could be detrimental in the re-rating process.

A lower ISO rating may affect homeowner or business insurance rates depending on individual carriers' policies. A one-step decrease in the City's ISO rating would likely result in a 7 percent increase in Springfield business fire insurance premiums.

The qualities of a good community – a community where people want to live and enjoy visiting – include a safe environment, a place where the roads and sidewalks are in good repair, where job opportunities encourage talented people to live and work here, and where there are enough amenities to satisfy the generations that work to live rather than live to work. City government is the logical provider or partner on many of the services that contribute to the qualities of a good community. If the City's General Fund continues to be eroded by cutbacks due to a disproportionately large, and increasing, amount of revenue going into the Police/Fire pension system, the City won't be able to continue providing these types of services at anywhere close to current levels.

Please provide an overview of the financial history and current status of the Police/Firefighters Pension Fund, including a summary that describes the current benefit structure for Tier I and Tier II employees.

On April 2, 1946, Springfield voters approved a property tax of up to 15 mills to finance a self-funded retirement plan for police and firefighters; the employees were required to contribute 5 percent of earnings. After the fund reached \$200,000, the City Council was authorized to reduce the millage, which it did to 1.5 mill.

Citizens voted in 1958 to re-set the property tax at 15 mills; the City would make a contribution sufficient to cover all projected liability payments for the

next five years, less the employee contribution, which was raised to 7 percent of salary.

Because of periods of underfunding that occurred over the next two decades, City Council in 1977 adopted a minimum funding policy to ensure that the normal cost of benefits and the unfunded past-service liability amortization were made. In the early and mid '80s, the investment returns nearly tripled the assumed rate and the funded ratio rose significantly. It reached its highest funded ratio ever at 92 percent in 1990.

From 1990 to 1999, the fund slightly outperformed its assumed rate of return of 8.5 percent, but benefit increases granted in the 1990s began to affect the system and the funded ratio slowly began declining. Employee contributions were increased to 8.5 percent of salary and City contributions crept up to about 20 percent of salary.

Since 2000, the technology stock "bubble" bust and the Sept. 11, 2001 tragedy contributed to the fund underperforming the actuarial assumptions, which required the assumptions be adjusted lower. With the combination of poor market performance and lower assumptions, the funded ratio declined further. The shrinking asset base resulted in lower total investment income requiring additional City contributions each year. Beginning in 2004, the City failed to make its required contribution amount for the next four years, totaling \$10 million in today's dollars, and that further lowered the funded ratio. In July 2007, the funded ratio fell to 50 percent and in FY08-09, the City made its full contribution rate, which equated to about 50 percent of the police/fire payroll.

Benefit Provisions

It is important to note that plan participants do not receive any Social Security benefits through their employment with the City of Springfield. This plan is in lieu of Social Security.

Currently, there are two tiers of employees in the plan. The Tier 1 employees were hired prior to July 1, 2006. A series of changes made to address the underfunding included creation of the Tier II plan for new employees hired after July 1, 2006. The plan changes only affected new employees. Under the City Charter, we cannot reduce or eliminate benefits already earned. It would require a public vote to reduced benefits promised, but not yet earned.

Tier I (974 active and retired employees)

The normal service retirement benefits for Tier I employees include a 2.8 percent multiplier per year of service that is multiplied by their final average salary with a maximum of 70 percent of their final average salary. Employees are eligible for retirement by meeting one of the following criteria: a) age 60; b) 25 years of service; or c) 20 years of service and age 50. Employees must retire at age 60. Employees receive a cost-of-living adjustment after age 56. Employees currently contribute 11.35 percent of their salaries to the plan. The employees receive a return of actual contributions (without interest) they have made to the plan when they begin receiving benefits.

Tier II (61 active employees)

The primary benefits for Tier II employees include a 2.5 percent multiplier per year of service that is multiplied by their final average salary with a maximum of 75 percent of their final average salary. Employees are eligible for retirement by

meeting one of the following criteria: a) after 25 years of service and reaching age 55; b) age 60. Employees must retire at age 60. Employees may receive a cost-of-living adjustment of up to 3 percent if the plan meets certain performance criteria. Tier II employees contribute 8.5 percent of salary to the plan, but do not receive the return of contribution when they retire.

A 2005 study compared the Tier 1 benefits with a survey of 12 comparable Midwestern cities. The study showed the City had the second lowest maximum benefit of the cities surveyed. The full study is available online or a copy can be sent upon request.

If approved by voters, how will this issue impact business and economic development in our area?

As you will see in a later question regarding the sales tax rates, Springfield would no longer have the lowest tax rate in the region or among the City's major metros. We believe, however, that our base sales tax rate would remain competitive and that consumers aren't likely to make a distinction among fractional differences in the sales tax rate.

Where it may impact economic development would be in using tools such as Community Improvement Districts or Transportation Development Districts where participants create a self-imposed tax district to pay for specific improvements within a geographic area. The City's higher base tax rate may make an additional increment in a CID or TDD a less attractive option for some developers.

On the other hand, if the proposed sales tax is not approved, the cuts the City would need to make to fund its increasing pension contribution rate would likely reduce public funds available for economic development. Often, tools such as CIDs and TDDs are associated with cost-share projects and infrastructure improvements that couldn't be funded unless specific projects were included in a future renewal of the capital improvements or transportation programs.

If approved by voters, how will this issue impact our community's quality of life?

Currently, this issue is overshadowing many other priorities that face city government. We are not able to move forward in many areas because of the uncertainty of funding for the Police/Fire pension system.

For the FY08-09 budget year, the City's total \$12.5 million contribution to the pension system represented 16 percent of the General Fund budget. The actuarial-recommended contribution level for the FY09-10 budget, without a sales tax, would increase that amount by \$530,000. It will continue to increase in subsequent years. For next year, it would mean sustaining the \$5.2 million cut and absorbing the additional \$530,000 if City Council decides to make the higher contribution rate again. The General Fund cutbacks resulted in 36 eliminated positions, including Police and Fire positions. It also meant cutting revenue transferred from the General Fund to Transportation, Health and Parks funds, along with modest funding the City provides to outside agencies. For a couple of concrete examples, the street and road maintenance program has been delayed this year and the public swimming pool schedule was reduced last summer. The

outside agencies provide valuable community services such as the Community Partnership, the Discovery Center of Springfield, Ozark Greenways, Urban Districts Alliance and the Chamber's Partnership for Prosperity. A portion of this year's \$5.2 million contribution was one-time funds that will not be available again next year, which would result in further cuts to services.

If this new revenue stream were approved, the City could maintain its proposed higher contribution level of 29.88 percent with some ongoing cutbacks that wouldn't be as severe as this year's.

Addressing this issue now will give the City Council more flexibility to move forward with its long-term strategic planning process to address issues such as other public safety needs, stormwater needs, sustainability goals, economic development activities to grow Springfield's tax base and attract and retain young professionals, and the many other challenges facing the state's third largest metropolitan area.

If approved, how will the city sales tax compare to surrounding communities?

Springfield currently has the lowest overall tax rate (combined city, county and state) among a number of surrounding communities and the lowest city tax rate among Missouri's major metropolitan areas. (See charts in Powerpoint.) With the 1-cent increase, Springfield would move into the upper third, but would remain competitive with both surrounding communities and the larger metropolitan areas. Over time, other communities may be expected to seek this revenue source authorized by the General Assembly in 2007. By the end of five years, Springfield's tax increase would sunset.

Springfield's current city tax rate of 1.375 cents breaks down as follows: 1 cent General Sales Tax, which provides the basis of the City's General Fund; 1/4-cent sales tax for capital improvements, which sunsets in 2011; and 1/8-cent sales tax for transportation, which sunsets in 2012.

(Sales taxes for other services such as E911 and Parks are countywide taxes included in the 1.250 county sales tax rate. The state collects 4.225 percent to round out the overall 6.850 combined sales tax rate.)

What is the cost to businesses?

The 1-cent increase would equal \$1 on every \$100 in taxable purchases over the period of five years or the pension fund reaching fully funded status.

What is the cost to residents?

The cost to residents is the same as the cost to business cited above. It is worth noting that visitors to Springfield pay an estimated 50 percent of our sales tax revenue. By "visitors", this includes anyone who lives outside of city limits – people who work and shop in Springfield, but live outside the city along with the tourists and visitors who come to the city. People who live outside of Springfield benefit from many public services when they are in the city.

What is the City of Springfield's record of accountability with previous tax revenues?

The City is proud of its track record of accountability in delivering on commitments made to voters in its two sales tax programs to support capital improvements and transportation infrastructure improvements.

The ¼-cent capital improvements sales tax was initiated in 1989 and has been renewed by voters in 1992 (73 percent approval); 1995 (83 percent approval); 1998 (78 percent approval); 2001 (74 percent approval); 2004 (67 percent approval); and 2007 (78 percent approval). The City has fulfilled its commitment of "Progress as Promised" made in each of those referendums, which included a specific list of projects to be accomplished within the sunset timeframe. These projects range from City road improvements to school sidewalks to neighborhood improvement projects.

The 1/8-cent sales tax for transportation has made Springfield a national leader in its innovative partnership with the Missouri Department of Transportation. Voters first approved this referendum in 1996 with 57 percent approval. The program was renewed in 2000 with 82 percent approval; in 2004 with 81 percent approval and in 2008 with 81 percent approval. This program has delivered more than \$100 million in high-priority transportation improvements including dual-left and other intersection improvements across Springfield; interchange improvements and pavement preservation. The City leverages its \$20 million in tax revenues into an additional \$40 million in county, state, federal and private funds.

In the late '70s, voters approved the 1-cent General Sales Tax. This provides approximately \$40 million a year for the City's General Fund. (Other sources of revenue in the General Fund include the gross-receipts tax and other fees.) The General Fund pays for the City's core services and general administration. Approximately 56 percent of the General Fund is dedicated to the Police and Fire departments. It also covers areas such as Building Development Services, portions of basic Public Works services, Finance, City Attorney, City Clerk, City Manager, Planning, Public Information, Human Resources and Information Systems. In General Fund departments, approximately 70 percent of the funding is for personnel and the remaining 30 percent covers equipment, supplies and services.

Is this proposal specific?

Yes. The state legislation that gave Missouri cities authorization to propose this type of referendum is very specific about how it can be used and how the ballot language can be worded. The enabling legislation allows cities to seek up to a 1-cent sales tax increase specifically for public-safety needs. Our ballot language specifies that the revenue can only be used for the Police/Fire pension fund and that it will sunset in five years or when the system is fully funded, whichever comes first. The ballot language reads as follows:

"Shall the City of Springfield impose a sales tax at a rate of 1 percent solely for the purpose of providing revenues for the Springfield Police and Firefighters

Pension System with said tax to sunset upon the earlier of A) Five (5) years from the date of commencement of collection of this tax or B) the Pension System fund reaching a fully funded (100%) status as determined by an independent actuarial study conducted for the Pension System Board of Trustees?"

Does it have a sunset clause or other accountability measures?

Yes. It has the five-year sunset and also provides for an independent actuary to determine the status of the system's funding level.

One question we have received at public presentations on this proposal is whether we can reach a 100-percent funded status within five years if the current economic downturn persists and affects both revenue collections and the investment returns. The fund's actuary believes that if those conditions were to prevail longer than expected, the revenue after five years would still be sufficient to take the fund to a 80- to 90-percent funded status, which would be considered a "healthy" funded level for pension systems. At that level, the system can be expected to sustain itself through the ongoing contributions by the City and employees and the investment returns.

What other alternatives to this proposal have been considered?

This process began several years ago and many other options were either considered or implemented. Those implemented include: increasing the City contribution rate; withholding two pay increases for police and fire employees so that funding would go to the plan; reducing benefits for new hires, including the return of contribution and changing the multiplier, the minimum years of service, the COLA, and disability benefits. The new investment policy gives the Board greater investment flexibility and lowered investment fees. The City also contributed an additional \$500,000 from funds realized from an earlier telecommunications settlement; excessive leave accumulation was capped.

Other items that were considered, but not implemented, included requesting the issuance of Pension Obligation Bonds (POBs). POBs are a strategy that some plans considered to prop up their underfunding: In effect, bonds are issued and the funds then invested. The bonds are then repaid with the investment income. In effect, the system could come out ahead by using the spread between the interest paid on the bonds and the return of the investments. The pension board determined this was not a sound practice for three reasons. First, POBs are taxable, unlike other City-issued bonds. This drives up the cost of interest paid on the bonds, so the spread was relatively small. Second, this adds risk to the portfolio as many of those that have used POBs have found. Recent investment returns have been significantly less than the cost of having borrowed the money. This has increased those plans' unfundedness rather than improving it. Third, the bond market was very tight and many were going unsold, which increased the cost of this strategy.

The pension ordinance approved by the voters in 1958 authorized the City to levy a property tax up to 1.5 mills. This is not currently being collected and was proposed to City Council for consideration during this year's budget discussions even though it would only generate about \$350,000 per year. The Pension Board noted that this would not solve the issue without another significant funding

source. The Council did not take action on the request. The general consensus was that, although they had the authority to make the change, it would not be a wise move to re-establish it without a public vote. Property taxes are paid only by City property owners so non-residents, who do use public safety and other services when they are in Springfield, would not share in the cost.

A hotel/motel tax was briefly considered, but was also considered insufficient to address the issue. Visitors would bear all of the costs of addressing this issue, and it might negatively affect tourism revenue.

Lastly, a wide variety of sales tax options were considered. This was the funding stream studied the most after the General Assembly created enabling legislation for a public safety sales tax to give the citizens a method of addressing the pension underfunding.

The Board's study looked at sales tax rates of $\frac{1}{4}$ - and $\frac{1}{2}$ -cent as well as the 1-cent rate, taking into account a variety of investment return rates, keeping the plan open or closing it, and various levels of asset-allocation risk. The Board very carefully evaluated all of these and concluded that the plan must be at least 90 percent funded to be self-sustaining. It also found that less than a $\frac{1}{2}$ -cent sales tax will not ensure it will ever reach 90 percent funding. The 1-percent sales tax level was the least sensitive to poor market returns and took the least amount of time to roll the tax back. The Board's actuary recommended a large infusion of funds as quickly as possible for the highest probability of success in restoring the system's healthy funded ratio.

How have other communities dealt with this issue?

Many communities across the country are dealing with very similar issues for their public-employee pension systems. The City of St. Louis recently faced a court order to address its pension shortfall; in February, voters there approved a sales tax increase for public safety needs, including its pension system. The City of Vallejo, Calif., recently declared bankruptcy over a failing pension system. Springfield's Police and Fire chiefs cite examples of other cities being in denial; they continue to recruit police and firefighters with promises of pensions that are also in underfunded plans. Several larger cities have even suggested that public pension plans be included in the Federal rescue plan for the financial industry. We believe that by addressing this issue now, Springfield will be at a competitive advantage over cities that are not proactively addressing similarly serious problems.

What are the consequences if voters do not approve this proposal?

We have outlined potential consequences in answers to previous questions related the City's ability to provide services and possible impact on fire insurance ratings.

We also would note this figure in explaining why we believe it is important to address this situation sooner than later: \$33,000 a day. That is the amount the fund is losing daily on unrealized investment income if the system were at a healthy funding level. We believe it is critical to start infusing the fund with revenue to capture the investment income to help achieve the healthy funded level more quickly.

Beginning in December, the City's Leadership Team and City Council will review the potential impact on programs and services if the ballot issue fails and the City has to sustain the additional budget cuts outlined previously. It is our intent to provide that information for voters prior to the Feb. 3 election date. We believe it is responsible to outline specific anticipated budget cutbacks so voters will have as much information as possible to help them decide this issue.

Another area of concern is the City's bond rating. Springfield currently enjoys an Aa bond rating; if this rating drops to A, the City would pay an estimated \$13 million in additional interest expense over a typical 20-year bond issue. This means more revenue going toward interest that could be used for actual projects. The problem exacerbates if the rating dropped to BBB or lower.

Summary

Thank you for your attention to this issue. We appreciate your interest and your service to the community through your volunteer work with the Springfield Area Chamber of Commerce. If you would like any additional information, the following sources are available.

On the Web: www.springfieldmo.gov/elections

E-mail questions or comments to: city@springfieldmo.gov

Request a speaker for a community meeting: Call City Manager's Office, 864-1006

For other questions, call: City Public Information Department, 864-1010

Safety and Justice Roundtable-January 2009: Springfield Municipal Court

Purpose: Provide a forum for the just, fair, and expeditious resolution of cases filed in the City of Springfield, Missouri under the ordinances and charter of the City.

Types of Cases: City ordinance prosecutions and administrative hearings.
Punishment range: up to \$1000.00 fine, up to 180 days in Greene County jail.

Number of Cases: Average for past 6 years is 52,466 per year, 16% of which are parking.

Self-Imposed Time Goals: To resolve DWI and BAC cases within 270 days, and all other cases within 120 days, all from the date of filing by the prosecutor.

Arrest Warrants: 14,227 active, 1376 issued in December, 2008, Springfield only (not Greene County Circuit Court).

Employees: 2 full-time judges, 4 part-time judges, approximately 30 staff including a court administrator, court clerk, probation officer, computer system administrator, accounting services representative, probation collections officer, deputy clerks, file clerk, and data entry clerk.

Budget: \$1.5 million- \$1.4 personnel, \$100k in operation supplies/services

Building History: 1856-1873-3rd Floor of Court House: Now Heers Building
1873-1915-Police Station, College and Patton
1915-1920-319 Boonville
1920-1953-Back to Police Station, College and Patton
1953-1972-First Floor of City Hall-Chestnut and Boonville
1972-1993-300 E. Central
1993-Current-625 N. Benton

Needs: Building, phone system, night court staffing, MULES connection, bailiff radios, trainer/file-auditor position, parking ticket employees.

2007 Municipal Court Needs (First Revision, 12-13-07)

1. **Renovation of building:** The current municipal courthouse is inadequate for the caseload. Due to budgetary constraints, most of the existing structure of the court complex was left intact during the original remodeling in the early 1990s. This includes the building entrances, external walls, heating and cooling systems, and internal supporting structure. Our heavy caseload continues to result in inefficient pedestrian flow and safety and security issues. Currently, as citizens stand in line they are left standing outside in the elements of the weather due to the necessary location of the metal detector and x-ray machine. As they enter the complex, they are forced to stand in cramped conditions in the court hallways. This congestion creates security and safety issues along with confusion. An October 2007 complaint from a citizen prompted the fire marshal to inspect the cramped conditions. Two inspections, October 26 and 31, 2007, revealed that the conditions are "daily putting the citizens of Springfield at risk" due to insufficient exits, improper installation of a courtroom door, and location of the x-ray machine and metal detector. During the 2006-07 budget year, an allocation of \$136,500.00 was approved for encumbrance while architect plans were being prepared for a final project-funding request. We have architect drawings prepared to improve the traffic flow in our front lobby. The total allocation will provide a complete shell for the front entrance of the Municipal Court and is estimated at \$293,000.00. This is a **minimum** request to address **immediate** crowding and congestion concerns. To adequately address future needs, strong consideration should be given to a new building housing three full-size courtrooms (as compared with the current 1 and ½ courtrooms) and designed with the realities of modern security issues, the practice of law, the need for meeting space, the necessity of giving individual cases adequate time, etc., i.e., considerably more square footage and personnel.
2. **Phone System Equipment and Personnel:** Our current phone system is, and has been for years, inadequate resulting in poor service to the public who call in. Discussions with Jo Johnston in the City IS department have been ongoing. According to Jo, until we have more personnel available to answer phones, any change in the equipment (which is also needed) would be in vain. We need to hire at least 2 more deputy clerks to address the volume of incoming phone calls.
3. **Night Court Needs:** Currently, we have 2 nights of night court per week on Monday and Tuesday. These dockets start at 5:30 and run between 2 and 5 hours. The personnel needed for a night court session are one judge, two bailiffs, and two deputy clerks. The judges are attorneys on contract. The bailiffs are part-time law enforcement officers/bailiffs. When one of these cannot work, a full-time bailiff works and receives overtime pay. The two deputy clerks work two nights per week (8 hours per week) taking them away from a much-needed 8 hours per week each during the day. In short, if night court is to continue even at this minimal level, a sufficient budget to pay for the staffing of night court, including overtime, is needed. Additionally, assuming that there is no new

courthouse built wherein a third judge would be utilized, it is reasonable to assume that, within 5 years, case filings would be at the point, if they are not already, that at least a half-time night judge and staff is needed and probably a full-time night judge and staff. This judge would work night court 5 nights per week, either 5-8 or 5-midnight, and Saturdays with the needed staff of two bailiffs and at least two court personnel.

4. **Video Arraignment System:** Our current equipment for conducting video arraignment is approximately 13 years old. Included are a television monitor, closed circuit network, and related equipment. We have struggled with failures of this equipment and patched and repaired over the years. It is time for a new look at this system with consideration of new technology available.
5. **MULES Connection:** The court has no access to the Missouri Uniform Law Enforcement System (MULES), an electronic database housing criminal history information of persons appearing in court. The prosecuting attorney's office does have access and we are forced to have them look up information when requested. The cost of this is \$2,160.00.
6. **800-Megahertz Radio Security Communication for Bailiffs:** The need to have effective, immediate, and private communications is vital for our bailiffs. Obtaining four 800 megahertz radios will provide for: safety concerns of both court clientele and city employees, faster access to emergency situations, and efficient communication. The ability to intercommunicate with other public safety agencies is included. The total cost for four radios is approximately \$6300.00.
7. **Trainer/File Auditor Position:** A deputy clerk whose job is docket management has also served as a trainer for new deputy clerk positions at the court. This needs to be a new full time position with the added duty of auditing files in order to reduce misfilings and catch other inadvertent mistakes made on files. With between 40 and 60 thousand cases being filed each year, a small percentage of mistakes can be a large enough number that a file auditor is justified. This is a proposed PAT 6 position in that a thorough knowledge of all aspects of the court is required to train others and spot issues on files.
8. **Parking Ticket Employees:** 67,306 parking tickets were filed in the years 2000-2006, an average of 801 per month. Currently, approximately 5711 parking tickets have not been paid or received an appearance. One of the state auditor's 2007 criticisms was that, "The Municipal Court does not adequately follow up on unpaid parking tickets. The court should initiate procedures to follow up on old inactive parking ticket cases." The auditor gave no recommendation either orally or in writing what "adequate follow up" would be. The court responded that if a parking ticket assigned to a vehicle is not paid by the court date or no one appears by the court date, the prosecutor runs the license plate number of the subject vehicle in the Department of Revenue records, submits this information to the

court, and a notice is sent by the court to the registered owner at the address given that there is a pending parking ticket. Contrary to cases **filed** in the municipal court for which no-shows have an arrest warrant issued, an arrest warrant may not be issued on parking tickets, which are **not filed**, because there is no defendant who has been charged to whom to it can be issued, and because the information provided by the prosecutor does not include identifiers such as height, weight, birth date, etc. to put on the warrant. The Missouri Uniform Law Enforcement System (MULES) will not accept warrants for entry into the statewide computer system without these identifiers. Therefore, if no one appears before or after the notice, there is little more the court can do short of having court employees initiate repeated contact with the registered owner. We do not have the staff available to initiate personal contact with each of the thousands of persons who do not pay or appear on their parking tickets. If personal contact follow up on parking tickets other than what is stated above is to be achieved, additional staff dedicated to parking tickets is needed.

**OFFICE OF THE
SPRINGFIELD MUNICIPAL PROSECUTOR
OVERVIEW**

- 4 FULLTIME PROSECUTORS
 - 2 PARALEGALS
 - 2 STAFF ASSISTANTS
 - 1 CLERICAL ASSISTANT
 - 1 PART-TIME INVESTIGATOR
-
- 20 DOCKETS PER WEEK (1,000 DOCKETS PER YEAR, APPROX.)
 - 2,848 TRIALS SCHEDULED PER YEAR
 - 44,908 CRIMINAL COMPLAINTS FILED IN 2008
 - 31,495 DEFENDANTS
 - 89,816 WITNESSES
- 121,311 CITIZENS TOUCHED BY OPERATIONS OF THE
PROSECUTOR IN THE COURSE OF 2008

GREATEST NEEDS

SPACE – One attorney has his office space in a combination file and conference room. The Clerical Assistant has her desk situated in a hallway.

ATTORNEY – Currently, there are just enough attorneys to address day-to-day assignments. If a special assignment arises, which is not uncommon, or if an attorney takes a vacation, sick, or training day, certain tasks must be postponed. The office needs an additional full-time attorney and the infrastructure (computer and etc.) to support that attorney.

VICTIM/WITNESS ADVOCATE – Effective communication with the victims and witnesses of crimes is essential for efficient and successful prosecutions. Currently the role of victim/witness advocate is handled on an ad hoc basis as time permits by existing staff members or attorneys with less than optimum results.

Safety & Justice Roundtable
Feb. 18, 2009, 7:30 a.m.
Springfield Fire Station #5, Community Room
2750 W. Kearney St., Springfield, Mo.

AGENDA

1. Call to Order
Robert Spence and Jean Twitty, Roundtable co-chairs
2. Overview of Springfield-Greene County 911 Center
Becky Jungmann, Director of Emergency Communications
3. Overview of Springfield Fire Department
Barry Rowell, Springfield Fire Chief
4. Report: Comparison of Criminal Case Processing in Knox County, Tenn., and Greene County, Mo.
Jerry Moyer, Greene County Court Administrator
5. Update on Roundtable member reports needed for Final Report
Jenny Edwards, Greene County Public Information Officer
6. Other business
7. Bus tour to Fire Training Facility (tour should return to Fire Station by 9 a.m.)
8. Adjourn

SAFETY & JUSTICE ROUNDTABLE
Meeting Minutes
7:30 a.m., Feb. 18, 2009
Fire Station No. 5, 2750 W. Kearney St., Springfield, Mo.

MEMBERS PRESENT: Bernie McCarthy, Ron Baird, George Templeton, Jill Elsey-Stoner, Matt O'Reilly, Stephanie Montgomery, Jim Cook, Nate Quinn, Yolanda Lorge, Jean Twitty, Robert Spence.

MEMBERS ABSENT: Bob Cirtin, John Crow, John Holstein, Steve Ijames, Gerry Poole, Mark Skrade, Brad Stokes.

OTHERS PRESENT: Sheriff Jim Arnott; Fire Chief Barry Rowell; E-911 Director Becky Jungmann; Randy Villines, Springfield Fire Dept.; Jenny Edwards, Greene Co. PIO; Mike Brothers, City PIO; Jerry Moyer, Greene County Courts Administrator; Dirk VanderHart, News-Leader; Tim Smith, Greene County Administrator; Natalie Swallow, KSPR; Dustin Hodges, KSPR; Wes Young, KOLR/KSFX.

1) PRESENTATION BY EMERGENCY 911 DIRECTOR BECKY JUNGMAN

She has been the director almost 8 years now, started in this about 30 years ago in Topeka, Kan.

"If we do the job right we're invisible, but if we do it wrong we're front page news."
They are the "first link in the chain of public safety." Details are key.

Get the call and pass the information on to the first responders. Must have real people, no one wants a recording they want humans to answer. Joint operations between City and County were combined in 1992.

Funded by a 1/8-cent 911 sales tax. Previously the revenue came from a charge on wire line phones. Had not increased staffing since 1994 until last year. New hires have cut down on overtime and turnover as they've had more people to share the workload. Made a huge difference in the morale and the workload, overtime down to almost nothing.

Almost all budget is personnel, and rest is computer maintenance.

Needs are not immediate right now, but in the future they will need space because they have no room for physical expansion at all.

Further down the line, a "next generation 911" is being set at the national level and will "change the whole business as we know it." It will be IP-based (Internet-based) and will be very different than they way things operate now, "probably 10 years down the road now."

Tim Smith: on the new 911 center, we have revenue, setting aside about a half-million dollars each for a new center and equipment in the future. Trying to build a community safety collaborative center. 911 part is covered but the EOC part is not covered, except for a million dollar federal grant that must be spent by 2011.

Q: Any chance stimulus money will come this way?

A: Tim Smith – hoping so and trying to see about it right now.

Q: Average call volume?

A: Becky — About 600 a day, during the ice storm it was 300 an hour.

2) GREENE COUNTY COURTS ADMINISTRATOR JERRY MOYER – REPORT EXAMINING THE STRUCTURE OF BOOKING PROCEDURES IN KNOX COUNTY, TENN.

Recent went to Knox County, Tenn., to see how they handle criminal case processing there. Handing out the report today to all members.

Q: We're trying to find the bottlenecks. How do we get people out of the jail, well one way is to get people through the courts faster. Where do you see those and what can we do better?

A: Jerry — Not sure anything was done better, but differently. We can make some improvements however but reviewing our process. You can go someplace else and fit their approach exactly to us.

There was one point with which he was very interested in when it came to how Knox County files and processes criminal cases. Judicial commissioners were appointed to handle this particular administrative process. They receive cases from a law enforcement officer and based on that can issue an arrest warrant and initiate a criminal case in a matter of minutes. It's simpler in Tennessee, however, because they aren't required to have a prosecuting attorney involved in the process, and in Missouri we are required to do so.

Q: Courts are clearly a bottleneck, can you say one thing that will make your job easier?

A: Jerry — Weighted workload study said Greene County was 6 to 7 judges short compared to other areas in the state, and more judges would mean we could do more work. But that also creates more work, more cases and more prisoners for the rest of the system as well.

Q: If 50 percent of the book-and-release candidates are not able to make bail, what do we do?

A: Sheriff Arnott – Great point, what DO we do?

Jerry Moyer – hopes it would be a temporary increase if we had more judges and then would start to slide off as the system worked it self out. Could potentially take months to a year for that happen.

3) SHERIFF JIM ARNOTT- JAIL BOOKING PROCEDURES

Wanted to talk about a few changes in booking fee procedures.

Booking fees will no longer be taken up front. Now these will be collected at sentencing after a person is found guilty, along with past medical bills.

Toured several facilities recently including Sedgwick, Kan. They have same size jail but book half the size. Almost every place they went had had a federal judge put a cap on the number of inmates that could come in, with \$5,000 fine per inmate over the limit, per day.

Jackson County, Mo., went through this. Have a cap, same type of fine. Knoxville, Tenn., same thing. So the pattern we see is all the jails that have let this going on have seen federal intervention.

"I feel, from the perspective of the Sheriff, we need to put a cap on the jail."

Right now there are 480 to 490, in a couple months it will be well over 500.

He wants to ask the group to take a look at that, and is recommending this, but it has to be approved by everyone involved with a stake in it. He wants to head off any kind of federal intervention. Along with those mandates have come an officer to inmate ratio. They have 1 per 120 or so, and the mandates are usually about 1 per 80 or so.

Research and look at the patterns. The federal government has almost always come to intervene. We don't have the money to deal with such a mandate.

Knox County, Tenn., has a system where officers work with a prosecuting attorney and a judge to file a probable cause affidavit when they arrest and take someone to the detention facility. This expedites the process and reduces the amount of time between arrest and going to court.

Q: Bulk of our prisoners are waiting for trial, correct?

A: Arnott - Yes.

Q: Can we implement this now?

A: Arnott - Not aware of any formal decisions or looks at this. Would a recommendation the committee could make.

Q: How is book and release handled?

A: Arnott - Goes by seriousness of the crime, sometimes an ankle bracelet, usually for people with property crime or driving offense. It's all up to the judge. I have very little control over it.

Q: But you do have control over who gets released?

A: No, not really, it's all set up by prior guidelines. And I don't want to be in the business of saying who stays and who goes if it's on someone else's case, especially with SPD.

Q: How fast can your officers do paperwork and get to next level?

A: Arnott - Before the guys go home, they have to have a case ready to go to the prosecutor or call the prosecutor and walk them through the case filing. Not all other agencies have the policy, such as the Highway Patrol, municipal agencies, etc.

Adjourned. Roundtable members toured the Fire Training facility.

SPRINGFIELD - GREENE COUNTY 9-1-1

WHAT IS 9-1-1?

- 9-1-1 is the connection between the citizen that needs help and responders. The first link in the chain of public safety service.
- We answer the call, get the information and pass it on.
- 9-1-1 is basically phones, radios, computers and people with people being by far the most important part of the mix.

CENTER INFO

- Joint City/County agency. Merged two centers in 2002. Before there were two separate centers for Springfield and Greene County right across the street from one another.
- Republic has a small center that is part of the Greene County system. They answer and dispatch only Republic Police and Fire.

FUNDING

Since January 2008, 9-1-1 is funded by a Greene County 1/8 cent general sales tax. Previously 9-1-1 was funded by a 10% phone surcharge on wire-line phones along with additional general fund money from Springfield, Greene County and Republic. Personnel and related benefits are the bulk of budget. (4.2 out of 5.8 million) The sales tax allowed us to add much needed staff as we had not increased staffing levels since 1994.

AGENCIES SERVED

Law Enforcement

Springfield Police
Greene County Sheriff
Ash Grove PD
Battlefield PD
Fair Grove PD
Strafford PD
Walnut Grove PD
Willard PD

Fire Agencies

Springfield FD
Ash Grove FPD
Battlefield FPD
Bois D'Arc FPD
Brookline FPD
Ebenezer FPD
Fair Grove FPD
Logan-Rogersville FPD
Pleasantview FPD
Strafford FPD
Walnut Grove FPD
West Republic FPD
Willard FPD

EMS CALLS - One button transfer to Cox and St. John's for pre-arrival instructions.

FACTS

- 10 9-1-1 lines, 7 other phone lines to answer
- 416,000 total calls handled in 2008
- 2/3 of incoming calls are on 9-1-1
- Answer time varied from 87%-93% answered in 10 seconds or less
- 63% of 9-1-1 calls are from cell phones
- Average 600+ 9-1-1 calls daily, but varies greatly
- 367,000 CAD incidents in 2008
- Most calls are for law enforcement
- About 70% are for Springfield
- 6 radio positions manned - 4 law/2 fire
- Usually 11-12 staff working in the center at one time
- Authorized staffing is 73 FTEs. Currently 62 full-time, 9 part-time.

9-1-1 NEEDS

Our needs are not as immediate as most other public safety agencies, but there are issues that need addressed.

- Space - We have outgrown our location and there is no room for further expansion. There are electrical/wiring issues as our current communications center wasn't designed for all the computers we now work with. Storage and office space is limited. There are plans being made for a joint use building with Greene County Emergency Management.
- Technology improvements - We will need to replace the 9-1-1 phone system and upgrade CAD within the next few years. Next Generation 9-1-1 is coming but still a long way down the road. Standards are still being set so no firm concept of what will be needed at this time.
- Quality technical support to administer above systems.

**COMPARISON OF CRIMINAL
CASE PROCESSING
IN
KNOX COUNTY, TENNESSEE
AND
GREENE COUNTY, MISSOURI**

February 9, 2009

Prepared by

Darrell Moore, Prosecuting Attorney
Greene County, Missouri

And

Jerry Moyer, Court Administrator
31st Judicial Circuit
Greene County, Missouri

I: Purpose of Report:

In 2003 Dr. Alan Kalmanoff conducted a study of the Greene County Criminal Justice System and made several recommendations to control the population of the Greene County Detention Center. Suggestions included issuing citations and summons rather than making arrests, and releasing those arrested without bond when possible (4.1). The Criminal Justice Coordinating Committee was established to review procedures relating to the Detention Center and implement any changes (3.1). Additionally the office of Pre-Trial Services was established upon the recommendation of Dr. Kalmanoff to facilitate getting persons out of the Detention Center as quickly as possible (3.2).

Book and Release Policy: In 2005 with direction of the Criminal Justice Coordinating Committee the Book and Release policy was implemented. The procedure sought to conserve the resources of the Greene County Jail by releasing arrestee's pending the filing of formal charges. The policy applies to defendants that are arrested based on probable cause, booked into the jail and then released by paying a booking fee. The defendant is not required to post an appearance bond and no court date is set. The Book and Release Policy has helped control the population of the jail.

Possible Negative Results of Book and Release: The Book and Release Policy may have achieved some negative results.

- The jail population has continued a slow increase with a peak of 609 in September, 2008.
- Law enforcement officers have become discouraged with the policy because defendants are frequently released prior to the officer completing the necessary paper work as a result of the arrest.
- Since the defendant is not kept in custody, there is no need to hurry to file criminal charges. The result is that charges are often filed months after the arrest.
- When the charge is filed, an Arrest Warrant is issued which requires the defendant being arrested a second time for the same offense.
- The number of unserved arrest warrants in Greene County has increased significantly with 8,613 in 2003, 9,972 in 2004, 10,948 in 2005, 12,475 in 2006, 14,163 in 2007 and 16,723 in 2008.
- Criminal cases cannot proceed until the defendant is arrested. Frequently defendants are not arrested until they are apprehended for another violation. The time between initial arrest and second arrest allows for defendants to leave the area to avoid prosecution, stalls justice in cases, makes it more difficult for witnesses to remember, and the prosecution to get convictions. The more time elapsed between violation and punishment erodes the effectiveness of the criminal justice process.

Knox County, Tennessee has experienced some of the same issues as Greene County. Knox County is currently under a federal court order setting a maximum jail population. If the population exceeds the maximum, the county is fined \$5000.00 per day per inmate over the maximum. Due to the jail over population problem, Dr. Alan

Kalmanoff was invited to evaluate their system and made recommendations to respond to the problem. Knox County has developed different ways of handling criminal cases even though they have similar problems to Greene County. A fact finding team comprised of Darrell Moore, Greene County Prosecuting Attorney, and Jerry Moyer, Court Administrator of the Greene County Circuit Court, visited Knox County in January 2009. The purpose of the visit was to gain an understanding of the procedures employed in Knox County regarding the processing of criminal cases.

II: Description of Knox County

Knox County is located in eastern Tennessee and covers 506 square miles. In 2007 its population was 411,000. The principal city is Knoxville which is the county seat of Knox County. The population of Knoxville is 190,000. The University of Tennessee's primary campus is located in Knoxville and has an enrollment of 42,000. Knoxville is the one the four major cities and the second oldest city in Tennessee. Interstate 40 runs through the length of Knox County and is the major east-west interstate in the state of Tennessee.

In comparison, Greene County has a population of 263,980 and covers 678 square miles. Springfield is the county seat of Greene County and the third largest city in Missouri with a population of 154,000. Missouri State University and four other universities and colleges are located in Springfield with an enrollment of 40,000. Interstate 44 runs through the width of Greene County.

The county government of Knox County operates under a home rule format. The county administrator, formerly known as the County Executive is called the County Mayor. There is also an elected county commission. The county officials' districts do not correspond with those of the City of Knoxville, which has its own mayor and city council. The City of Knoxville maintains a police department independent of the county sheriff.

III: Description of the Court System in Knox County.

The 6th Judicial District Court located in the City-County Building in Knoxville is a trial court staffed with 11 judges. The Presiding Judge of the District Court, the Criminal Court staffed with 3 Judges assigned to hear felony criminal cases, the Circuit Court staffed with 4 judges assigned to hear Circuit Civil (large) cases, and the Chancery Court staffed with 3 judges assigned to hear Chancery cases (domestic relations and probate cases).

In FY 2008 the Knox County Criminal Court had 8848 cases filed and 9646 cases disposed. There are approximately 2900 pending felony cases as of December 2008.

The Greene County Circuit Court has 5 Circuit Judges. One judge is assigned to hear all Juvenile cases. Two Judges are assigned to try all Felony Criminal cases and two Judges to try all the largest Civil cases. This is similar to the District Court.

In FY 2008, Greene County had 10,062 criminal cases filed and 10,141 cases disposed. There were 1794 pending felony cases and as of June 30, 2008.

The General Sessions Court, located in the City-County Building is a trial court staffed with 5 Judges. They hear misdemeanor criminal cases, smaller civil cases, traffic cases, water craft violations, wild life violations and county ordinance violations. These cases originate from all the law enforcement agencies in Knox County. The judges hear a different docket of cases on a weekly rotating basis. The five dockets are organized by Citations/Environmental Ordinances docket, Misdemeanor docket, Felony/Preliminary Hearing docket, DUI/Alcohol Related docket, and Civil docket. The Citations docket hears arraignments on citations from 9:00 a.m. to 10:00 a.m. then arraignments on misdemeanor and felony warrants.

The Greene County Associate Circuit Court has 4 judges. They hear all traffic cases, misdemeanor cases and felony cases through the Preliminary Hearing. The Associate Circuit Court is similar to the General Sessions Court.

The court has two standing Grand Juries and they have two methods for handling criminal cases. The first is for the Grand Jury to hear evidence and determine probable cause to file Indictments directly in the District Court. The second method is to review felony criminal cases after the Preliminary Hearing and issue an Indictment for filing in the District Court.

Knox County has 5 Judicial Commissioners which are assigned to accept Affidavits of Complaint for the filing of new criminal charges (cases), applications for Search Warrants, and conducting video Arraignment Hearings. The Judicial Commissioners are on duty 24 hours a day, seven days a week. They are available to law enforcement officers for the filing of Affidavits of Complaint to obtain warrants of arrest which must be done within 72 hours of the arrest.

Greene County has 5 Commissioners which are assigned to hear Probate cases, Domestic Relations cases and Drug Court cases. Their function and jurisdiction is much broader from the Judicial Commissioners in Knox County.

IV: City of Knoxville Municipal Court

In addition to the District Court and General Sessions courts, the City of Knoxville has a Municipal Court. The Knoxville Police Department sends all violations of municipal ordinances to the municipal court.

The City of Springfield has a Municipal Court. The Springfield Police Department sends all violations of municipal ordinances to the municipal court.

V: Criminal Cases filed in the Knox County Court System Summons and Complaint.

Most Traffic, less serious Misdemeanor and infraction cases, originate from law enforcement issuing a Summons and Complaint (ticket). The summons is issued with a court appearance date and no bond is required.

Greene County uses the same process.

Citation for Misdemeanors.

More serious misdemeanors are handled by a Citation being issued by law enforcement which mandates an appearance date. The Citation is sent to the Clerk of the court who enters the case into the JIMS system. The defendant appears at the City-Courts building at 7:30 a.m. on the appearance date. The defendant is finger printed and booked into the JIMS system. This process takes about 15-20 minutes per person. The defendant is then sent to a General Sessions Court for appearance before a Judge.

Greene County does not use this process. Most misdemeanors are issued a Summons and Complaint (ticket) or processed by the Book and Release program.

Affidavit of Complaint.

In the most serious cases where the person has been arrested, law enforcement officers file criminal charges and seek an arrest warrant within 10 hours. The United States Supreme Court has determined that defendants cannot be held longer than 72 hours absent the filing of criminal charges. Law enforcement officers come to the City-County Building and present an arrest report to the clerk who enters information about the defendant, offense information and any narrative into the JIMS system. The JIMS system generates a Case Number, an Affidavit Of Complaint and State Warrant Form. The Judicial Commissioner then calls up the case in the JIMS system and reviews the Affidavit for probable cause. If the Commissioner finds probable cause, he will issue the Warrant, determine the Bond amount and enter any special conditions. The actual process of filing the Complaint and issuing an Arrest Warrant takes about 10 minutes. Issuance of the warrant in the JIMS system also sends a written notice to the County Jail authorizing them to hold the defendant until posting of bond or court appearance. The Sheriff will serve the warrant and enter the service information into JIMS. The system will automatically set a court appearance date.

The District Attorneys (Prosecuting Attorney) office is not involved in this process but will receive copies of the Affidavit Of Complaint and Warrant on the next business day. Knox County does not utilize a Probable Cause Bond Schedule.

The most serious cases (felonies) in Greene County are processed by the person being arrested and taken to the Greene County Detention Center. The law enforcement officer contacts the Prosecuting Attorney within a 24 hour period. The Prosecuting Attorney must prepare a Probable Cause Affidavit which is signed by the law enforcement officer. That Affidavit and Complaint is filed with the Court (new case) and presented to a Judge for issuance of an Arrest Warrant and setting of Bond. Once an Arrest Warrant is issued, the defendant must be held in custody until the Bond is posted. If an Arrest Warrant is not issued within the 24 hour period, the defendant must be released.

VI: Description of the Justice Information Management System (JIMS)

The Justice Information Management System is an Oracle based information management system. JIMS is a custom designed program and was developed by Knox County Information and Technology staff. The system is shared by the Knox County Detention Center, Sheriff's Office, District Attorney and Court Clerks offices. Knoxville Police Department, Pre-trial and Probation offices, other state and federal agencies have access to JIMS.

In Greene County each entity has their own information management system. Plans have been developed to integrate the systems to share information. At this time work is proceeding to implement the integration of the systems.

VII: Law Enforcement Agencies

- A. Knoxville Police Department
- B. Knox County Sheriff's Office
- C. University of Tennessee Police Department
- D. Tennessee State Highway Patrol

VIII: Knox County Jail System.

The Sheriff of Knox County is responsible for the jail system. The system is comprised of three facilities. The City of Knoxville does not have a jail and they house all prisoners in the county jail system.

The County Jail is a maximum security facility located in the City-County Courts Building and houses approximately 200 females.

The Knox County Detention Center is a facility located approximately 14 miles from the City-County Courts Building. The facility has maximum and medium security level housing. The Detention Center houses about 670 inmates. The Sheriff must transport 120 to 200 inmates to the City-County Courts building on a daily basis for court appearances. A video conferencing system is used for arraignments.

The county also has a minimum security facility which houses male inmates and facilitates the Work Release Program and other minimum security programs. This facility houses 30 to 50 inmates and is located near the Detention Center.

All detainees are initially booked into the Detention Center and go through a classification process to determine the proper level of security for the inmate.

IX: Office of Knox County District Attorney

Randy Nichols, Knox County District Attorney, has a staff of 37 assistant District Attorneys. They prosecute violations of state law which include misdemeanors, felonies and traffic cases. They do not handle child support cases. The office is located in the City-County Courts building.

X: Pre-trial Release Program

Knox County has a Pre-Trial Release Program. The office is a part of the Probation office. Pre-Trial Release has a staff of 2 or 3 persons. They screen persons for release from the Jail on pending charges. The screening process to determine eligibility for release first reviews the charge. Those cases that match a list of serious charges are determined ineligible. Those cases which are not initially ineligible, the defendant is interviewed and information is collected regarding residency, family status, employment history and status, prior criminal record, and bond status. The answers are assigned a numerical value for each answer. If the score is 4 or less they are ineligible for release. Score of 5 may be eligible for release and 6 or higher is recommended eligible for release. This information is presented to the Court for determination of release. Defendants released by the court are usually supervised by Pre-Trial using weekly contacts. Pre-Trial also monitors defendants using Electronic Monitoring (leg bracelets).

XI: Family Justice Center

The Knox County Family Justice Center was founded 4 years ago and is funded in part by federal money and by Knox County. The mission of the Family Justice Center is to provide one location to provide services to families who are experiencing domestic violence. The center provides office space for any organization whether governmental, non-governmental, private, or faith based. Some of the agencies housed in the center are Knoxville Police Department, Knox County Sheriff, District Attorneys office, and Division of Family Services. It is a one stop center for domestic violence. The center helps families connect with help in all facets of domestic violence. The center is one of four such programs in the United States.

XII: Recommendations

1. That the current practice of Book and Release cease and a Probable Cause Bond schedule be implemented. The Court should establish a Probable Cause Bond schedule. The schedule is a list of offenses (usually misdemeanors and less serious felonies) which the court determines a standard bond amount. Therefore, when a person is arrested for an offense on the schedule, that person can post an appearance bond and have a court date set and be released. Posting of an Appearance bond is normally done by payment of cash on behalf of the defendant or by a Bondsman guaranteeing (surety) appearance of the defendant. If the person fails to appear on the court date, the court can forfeit (seize) the bond. If a bondsman posted the bond, he will find the defendant and deliver the defendant to the Detention Center to avoid forfeiture of the bond. Posting of bond allows the defendant to be released and out of the jail pending disposition of the charge and shifts the burden of supervising the defendant from Pre-trial Services to the Bondsman. The process also reduces the need for a second arrest warrant being issued.
2. That all new criminal cases not listed in the Probable Cause Bond Schedule should be filed in an expedited manner (within 24 hours). This process requires law enforcement officers to file a Probable Cause Affidavit when they have arrested and taken a person to the Greene County Detention Center. The PC

Affidavit should be immediately sent to the Prosecuting Attorney. The Prosecuting Attorney could quickly review the P.C. Affidavit to determine if it is appropriate to file charges (new case). If the P.A. wants to file new charges they would prepare a Complaint and Arrest Warrant and transmit that to a Judge for review and issuance of the Arrest Warrant. The Judge would also set a bond amount and determine any special bond conditions. This process reduces the amount of time used from arrest to filing of charges and disposition of the case.

3. That a bill be filed in the Missouri Legislature to change the time period for filing criminal cases from 24 to 48 hours. Changing the time from 24 hours to 48 hours would allow the Prosecuting Attorney more time to gather information about the offense and give the Court more time to consider whether to issue the Arrest Warrant and set the appropriate bond amount. The United Supreme Court has established a maximum of 72 hours in custody from arrest to the filing of charges.
4. That the Associate Divisions of the Circuit Court adopt a rotating assignment system. This will result in a more effective use of judicial, public defender and prosecution resources and move more cases. (See Attachments)

The Springfield Fire Department

Divisions

Technical Services

Arson and Fire Investigations, Bomb Squad, Code Enforcement, Fire Inspections Public Safety Education, Plans Review, Blasting permitting, Fireworks permitting, flammable liquid transport inspections.

Personnel- 6 Law Enforcement commissioned Fire Marshals

Responses

Total cases investigated by Fire Marshals -300

Total arson cases- 94

Total arson cases cleared 45 (48%) *up from 12.5% in 2007. National average 17.9%*

Total bomb Calls – 76

Total dollar loss due to arsons reported -\$846,246

Total inspections-

Additional inspectors were requested in the 2006/07 and 2007/08 budget but were not filled

Operations

Fire fighting, EMS response, Hazardous Materials, other emergency responses.

Personnel – 200 positions. Primary response personnel assigned to three 24 hour shifts at 12 stations. **A 13th Station is slated for west side of town. Staffing contingent on sales tax.**

Currently 9 positions unfilled due to hiring freeze and budget reductions for 2008/09 budget year. (12 personnel equal to one single unit station)

Responses

Fire- 919

EMS- 8400

Other -5168 (Hazardous conditions, service, good intent, false alarm, severe weather/disaster)

Training

Provides day to day refresher training for all fire suppression operations, continuing education for emergency medical response, and oversees Workers Compensation, safety, all promotional processes, purchasing of all EMS and Fire suppression equipment and supplies.

Personnel – 3 Training Captains

(Currently 1 Training Captain position vacant due to budget reductions for 2008/09 budget year).

20008 Training Hours – Approximately 80,000 of which 47,000 were fire related

Fire Training continues to be hampered with the loss of the N.W. Training center.

A shared facility with Police is slated for the current airport terminal upon completion of the new terminal.

County fire agencies have expressed interest in partnering with Springfield Fire to support and utilize a regional physical training facility.

Ozark Technical College has expressed interest for use in their Fire Sciences program.

Specialty Teams

All teams do regional response

Region “D” Homeland Security Response Team: Lead Emergency Response Agency with Bomb Squad and Haz Mat Team members.

Bomb Squad

Responded to 76 bomb calls throughout Greene County and Region “D” (SW Missouri) as part of Homeland Security Response Team.

- Total Bomb Calls – 76
- Bomb calls outside the city limits – 8 (10%)
- Bomb calls occurring after 6 pm but before 6 am – 24 (31%)

Water Rescue

Most incidents outside of Springfield city limits with swift water rescue associated with rivers and flooding being the #1 response. Dive recovery

Haz Mat Team

HSRT responses and spills (BN derailment) associated with transportation and industry.

Technical Rescue

High angle, (**tower rescues**) building collapse, entrapment, confined space and trench rescue

**Safety & Justice Roundtable
Workshop Session
Monday, April 6, 2009, 4 p.m.
Greene County Boonville Annex
921 Boonville Ave., Springfield, Mo.**

AGENDA

1. Welcome and Self-Introductions
2. Opening Comments and outline of meeting's objective
Robert Spence, and Jean Twitty, SJR co-chairs
3. Review comments/recommendations for priority topics (10 minutes each)
31st Circuit Judicial Courts backlog
31st Circuit Office of Public Defender backlog
Greene County Jail booking and overcrowding
Greene County Juvenile Office facility and staffing
Springfield Police/Fire Pension
4. Review comments/recommendations for other topics (30 minutes)
5. Review comments/recommendations for overall system issues (30 minutes)
6. External factors to consider for final report (15 minutes)
7. Prioritize comments/recommendations (30 minutes)

* Meeting will include a break for supper at about 5:30 p.m.

**Safety & Justice Roundtable
Final Report Workshop Session
April 6, 2009
Greene County West Annex
921 Boonville Ave., Springfield Missouri**

MINUTES

MEMBERS PRESENT: Jim Cook, John Crow, Nate Quinn, Matt O'Reilly, Bob Cirtin, Robert Spence, Jean Twitty, Stephanie Montgomery, Mark Skrade, Bernie McCarthy, George Templeton, Jill Elsey-Stoner, Yolanda Lorge.

MEMBERS ABSENT: Ron Baird, John Holstein, Steve Ijames, Gerry Pool, Brad Stokes.

OTHER PRESENT: Greg Burris, Tim Smith, Dirk VanderHart, Jerry Moyer, Jenny Edwards, Mke Brother, Judy Hill.

Dr. Spence opened meeting with thanks to those who had volunteered many hours working on this committee for the past 18 months. Commented that it is a work in progress and the purpose of this meeting was to attempt to wrap up committee's work into a concise document that addresses major concerns in our city and county. Work continues and nothing "set in stone" at this point.

Discussion tonight will deal with five of the major topics as determined by reports/ comments submitted and discussions already held.

Jean Twitty outlined meeting procedure to be followed. Would allow 10 minutes for each topic in order to keep meeting moving and not delayed too badly.

Jenny Edwards briefly reviewed the five topics to be discussed tonight. These five represent the most responses to questionnaires. Other topics are included with remarks but didn't get too many comments.

Twitty mentioned that Tim Smith, County Administrator, Greg Burris, City Manager, and Jerry Moyer, Courts Administrator were present at back of room. Their purpose was to answer any questions that might arise about external factors that might influence outcome of this meeting. Specifically Burris on City compensation / pension plan resolution, Smith on issues concerning County issues; and Jerry Moyer to answer questions concerning courts.

Jenny Edwards and Mike Brothers moderated the meeting on the following topics:

COURTS

Issues identified: More Judges needed. More Courtroom Space needed. Cases must be expedited. Explore use of Grand Juries. Identify likely guilty pleas and place these cases a top of dockets.

Review the number of continuances allowed and consider limiting continuances. Explore use of video technology for preliminary hearings and other procedures. Consider night court/weekend

PUBLIC DEFENDER'S OFFICE

Issues identified: Need more public defenders. Note a lack of public defenders is a significant contributor to case backlog and jail population. The issue must be addressed at the state level. Commend Bar Association for volunteers representing indigents. PD should be a top legislative priority for city and county.

JAIL

Issues identified: More staff needed. Population (number of prisoners) must be controlled. Delay during booksin needs more exploration. Pre-Trial Services should be commended and expanded. Explore combination of Pre-Trial services, Bond Schedule and Book & Release. Minimum security facility needs more exploration.

POLICE-FIRE PENSION

Issues identified: Pension is a roadblock for everything else. Solution should be highest priority. No other funding issue can be fulfilled until pension is solved. It is an issue of trust, city must fulfil obligation. It is a quality of life issue. An external funding source is needed.

Other police-fire issues identified: Recruitment for police and fire departments is tied to pension issue. Further exploration in police and sheriff's services is recommended. Police and Sheriff's Office must find a way to share data/records. Fire training facility is currently grossly inadequate.

JUVENILE

Issues identified: Juvenile Office must be commended for doing more with less. Group was impressed. Acknowledge that addressing Juvenile issues is an important element of public safety system. Recommend a community-wide focus on Juvenile issues, comparable to Mayor's Commission on Children. Juvenile Office needs a bigger building and additional staff.

